

What a big Asylum Bill you have, Grandmother

THE Jackal Loophole, explained Labour's earnest, fair-minded Jeff Rooker (Perry Bar) yesterday, is the use "of birth certificates for creating false personalities".

MPs were debating the Asylum and Immigration Bill, and Mr Rooker was disappointed that this Bill does nothing to close the Jackal Loophole. Facing the worried Rooker as he explained his concerns were the smiling features of Michael Howard, the Home Secretary.

Readers who remember, as children, hearing for the first time the story of Red Riding

Hood and the Wolf will recall that moment of horror when all at once it dawned on Little Red Riding Hood, who had supposed herself to be chatting to her caring grandmother, that the creature in the bonnet and nightie is actually the dreaded Big Bad Wolf.

In just the same way it may have occurred to poor Jeff Rooker, half way through his plea over the dreaded Jackal Loophole, that he was addressing the Jackal.

The Right Hon Michael "J" Howard, too, has created a false personality. Up in Blackpool, not seven weeks ago, some of us encountered a



MATTHEW PARRIS
POLITICAL SKETCH

rabid creature stalking the boards of the rostrum at the Winter Gardens during the Conservative conference there. The encounter was disturbing. Cackling and snarling, this political scavenger was tearing at a few scraps of old meat left over from the immigration controversies of the 1970s and 1980s.

From time to time he would raise his offal-flecked chops

to the bloodthirsty crowd for applause. The Jackal snarled at the judiciary, savaged the parole system and took a nip at the Labour Party, challenging it to a fight. Growling, he worried away at the provision of asylum for refugees. To further applause he promised carnage in the coming Queen's Speech. This was a mean and dangerous beast, we felt sure.

That was until we saw him

at the Dispatch Box yesterday. Could it be the same creature? In soft and caring tones he told Julian Brazier (C. Canterbury) that it was "precisely" to speed up consideration of the claims of genuine refugees that the bogus ones were to be tossed so speedily aside. A new Asylum Bill: all the better to help you with, my dear. We pictured Mr Howard's bonnet and nightdress.

New curbs on illegal immigrants? All the better to foster good race relations, my dear. A crackdown on employers of these people? All the better "to protect employment opportu-

nities for those entitled to live here", my dear. An end to housing benefit for asylum-seekers? All the better to help "hard-pressed housing authorities", my dear.

And there was to be a new offensive against racketeers. "I am very concerned about racketeers." A criminal offence was to be created: all the better to punish those "who prey on people who are often poor and illiterate", my dear.

Jeff Rooker wondered whether the Bill could also close off the Jackal Loophole. Could Mr Howard stop people creating false personalities? The Jackal smiled. "I

very much sympathise with the hon gentleman's concerns" (my dear); he simpered. But it was not quite within this particular Bill's ambit.

Mr Howard smiled again. Was it the flash of those incisor teeth? Was it that tuft of fur peeking from under the bonnet? Or was it the errant whisker, quivering as he spoke feelingly of the "unfortunate clients of racketeers" stowed into cargo holds? Something — we could not say what — wasn't quite right. Little Jeff Riding Hood dropped his picnic basket and ran.

Britain expels Libyan diplomat

Libya's most senior diplomat in Britain has been expelled by the Foreign Office after being accused of intimidation and surveillance of Libyan dissidents (Stewart Trender writes). Khalifa Ahmed Bazelya has been told to leave the country by December 25 for activities incompatible with his status as a diplomat, the Foreign Office said yesterday. He has been working as head of the Libyan interests section of the Saudi Arabian Embassy, which acts for the Gaddafi regime in Britain.

Two weeks ago Scotland Yard launched a murder inquiry into the death of Ali Mohamed Abuzeid, a leading Libyan dissident, in his grocery shop in west London. Friends said he had reported receiving threats and intimidating telephone calls. Yesterday the Foreign Office denied any link between the expulsion and the murder inquiry. It is understood that Mr Bazelya was suspected of gathering information over a long period.

Test for pupils

Primary school pupils may have to take a national test in mental arithmetic as part of measures to raise standards in mathematics announced yesterday by Gillian Shephard, the Education and Employment Secretary. She has already approved a ban on calculators in one test for 11-year-olds next summer and is proposing a mental arithmetic test for the age group.

American fined

An American tourist with only two days' driving experience in Britain was fined £800 by magistrates in Whitby, North Yorkshire, yesterday for causing an accident in which a couple died. Arthur Smith, 63, and his wife Anne, 58, died after their car was hit by a minibus driven by Gregory Snow, 60, a lawyer from Michigan who admitted careless driving.

Meningitis death

Judith Holford, 50, a nurse, died of meningococcal septicaemia, the blood infection associated with meningitis, yesterday in the Royal Bournemouth Hospital. Five pupils from Shotton Hall Comprehensive in Peterlee, Co Durham, have also been admitted to Hartlepool General Hospital in the past five days suffering from meningitis. One is "poorly".

Flu cases up 69%

Flu levels were up by 69 per cent nationally last week compared to the same period last year, according to the drug company SmithKline Beecham. The Midlands and North West region were taking the brunt of the epidemic, with a 98 per cent rise, while the South East close behind. Levels were also high in Yorkshire, the North East and London.

Actress in court

The actress Frances Barber was cleared of headbutting a policeman and trying to bite her after being caught driving while nearly three times over the alcohol limit. Barber, 38, was stopped in June after leaving the nightclub Tramp in London. She admitted drink-driving and was fined £1,200 and banned for 20 months by Clerkenwell magistrates.

Sheriff ruled out

A Scottish sheriff said he could not sentence a man who admitted housebreaking after he discovered his was the home the accused had broken into. Sheriff Andrew Bell was due to sentence Richard Chayne for four theft charges but told Edinburgh Sheriff Court he was unable to continue. Chayne, 28, was later jailed for three years by another sheriff.

Self-defence cases to be reviewed

Police to take softer line on charging 'have a go heroes'

By FRANCES GIBB, LEGAL CORRESPONDENT

THE Crown Prosecution Service is expected to issue new guidelines to police, warning them against rushing charges against "have a go heroes" who hit out in self-defence.

The guidelines, which also aim to eradicate regional variations in charging practice, are being drawn up after a review by the CPS at the request of Michael Howard, the Home Secretary.

There have been a series of high-profile prosecutions of people who have found themselves in court after tackling a burglar or other criminal attacking their homes or property.

Last month Mr Howard told the Police Superintendents' Association that people who use violence to defend themselves should be treated more sympathetically. He asked the CPS to look at charging practice in such cases as part of its wider review — already under way — of the new national charging standards on assault. It is expected to tell police to consider "have a go" cases carefully, taking all the circumstances into account.

Police will also be urged to

consult the CPS when in any doubt at the earliest possible stage, rather than have a case proceed and then be discontinued. The review is expected to report in the new year.

At present, the law allows for a person to use "reasonable force" in defence of himself or his property. But there is no consistency in charging.

Gary Slapper, a lecturer in law at Staffordshire University, says: "The problem is that the application of the law is vexed by a variety of regional and local interpretations by police officers of what amounts to reasonable conduct by someone trying to uphold the law."

The CPS is also carrying out a review of its new national charging standards for assault charges, before extending these to public order offences, road traffic offences and drugs offences. A spokesman said: "We are looking at how effective these have been and whether the standards need updating."

The national guidelines, produced in a joint venture by the CPS and police, were aimed at removing inconsis-

tencies in charging practice between police forces. The question of what to charge people with has traditionally been one of the most acrimonious between the CPS and the police. Prosecutors say police are prone to press charges higher up the scale than they need to such as actual bodily harm instead of common assault.

But there has been some concern among victim support groups that the new standards have led to a downgrading of charges. They believe that serious injuries which before might have been categorised as actual bodily harm are now being charged as common assault.

Neil Addison, a barrister in private practice and a former crown prosecutor, said: "The charging standards are a good idea — they bring openness about charging and will, I hope, raise standards. But the fear is that offences are being charged as common assault which before would have been charged as actual bodily harm — offences involving bruising, cuts and so on."

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Sergeant Tim Cowley being welcomed by his wife Sandra and son Matthew at Heathrow yesterday

Bullets flew during jungle rescue

By KATHRYN KNIGHT

A BRITISH Embassy aide who was held captive in the Colombian jungle for four months by political extremists flew home yesterday and was reunited with his wife and three-year-old son.

Looking tired but fit, Staff Sergeant Tim Cowley, 32, described how his captivity at the hands of left-wing guerrillas ended amid gunfire and grenades when Colombian National Police troops stormed the jungle to rescue him.

Sergeant Cowley, from Hull, an assistant to the defence attaché at the Embassy in Bogotá, had spent two years working in

Colombia as part of the Adjutant-General's Corps. His kidnapping by the Revolutionary Armed Forces of Colombia group on August 12 came at the end of a day birdwatching with a companion in the southwest region of the country.

His companion Francisco had argued with the guerrillas for his release. "He is a very brave man and was given an ultimatum in the end, which was that I stayed and he left."

Sergeant Cowley said he had explained that the British Government did not pay ransoms but his captors had not believed him. "As a consequence, I spent 118 days walking around the central Cordillera in

Tolima at altitudes of up to 18,000 ft."

The first glimmer of hope came on Thursday when he was told he was going to receive his liberty the next morning. But after a gruelling eight-hour trek, in which he and his captors descended between 6,000 and 8,000 ft, and being tied to a tree for three hours, he was told that he would be held for at least another 15 days. "Shortly after that grenades went off, bullets started to fly as the Colombian police came to rescue me." As the guerrillas ran off leaving him tied and blindfolded, government troops rushed in under the cover of machinegun fire and rescued him.

Police pay £101,000 to jailed innocent

By STEWART TENDLER

POLICE agreed to pay £101,000 in damages and costs yesterday to a voluntary worker wrongly arrested and jailed for drug offences.

The High Court agreement is the eighth and biggest in a series of cases following allegations of police corruption over drug raids in the Stoke Newington area of northeast London. In 1990, Scotland Yard has paid £420,000 over claims of false imprisonment, assault and malicious prosecution, and two cases have yet to be settled.

The court was told yesterday that Rennie Kingsley, 48, now of Hackney, east London, was arrested after officers smashed in his front door. Russell Miller, his solicitor, said Mr Kingsley was a "respected and valued" member of the community because of his work with housing projects. He was knocked down, handcuffed and eventually jailed for four months for possession of drugs. He was cleared when the Crown Prosecution Service did not contest his appeal, on the ground that the evidence of the police officers could not be relied upon.

The officers involved maintained their innocence. Mr Miller said, but the Commission did not contest Mr Kingsley's claim.



Lottery controversy: Sir Tim Bell and John Jackson

Lottery 'bribe'

Continued from page 1
he had not raised the issue of the bribe before because he felt it would achieve little and that it might appear like sour grapes. It was only when the Panorama team asked him what he knew about Mr Snowden that he decided to reveal the bribe now rather than in the autobiography that he is writing.

Mr Branson's account of the lunch was corroborated by his friend Dr Peter Emerson, the former dean of Westminster Medical School, who said that he had told him about it two days later. Dr Emerson said no doubts that Mr Snowden had been trying to bribe him.

At Westminster last night, Mr Davis was questioned by MPs about Mr Branson's allegations, about his flights in America courtesy of GTEch and about bribes that GTEch were alleged to have paid to a Californian senator. But he insisted: "I had no evidence that GTEch have in any sense misbehaved in their dealings

in connection with the National Lottery." He refused, however, to give MPs details of his investigations into the company before the franchise was awarded.

Asked about the flights within America, Mr Davis said that he had taken them to look at various lottery operations in October 1994. Camelot had already won the main lottery contract, but the scratchcard decision had not been made.

Questioned by Alan Williams, Labour MP for Swansea West, Mr Davis said he had no regrets about accepting the free trips.

Mr Williams asked him, "Do you think it is wise as regulator to use one of the two private jets of GTEch?"

Mr Davis replied: "Absolutely yes. Had I wanted to visit a number of US lotteries by scheduled airlines it would have taken a great deal longer and cost the taxpayer a great deal more. I took advice and decided it was the right thing to do."

Dublin court orders IRA escapers to be extradited

A DUBLIN court yesterday ordered the extradition to Britain of Nesson Quinlivan and Pearse McAuley, the IRA terrorists who escaped from Brixton Prison in 1991. Lawyers for Quinlivan, 30, and McAuley, 31, said after the hearing at Dublin District Court that they would appeal against the extradition orders, a process that could take up to 18 months.

Quinlivan and McAuley are wanted in Britain on charges of conspiracy to murder Sir Charles Tibbry, the former chairman of Whitbread plc, conspiracy to cause explosions, escaping from lawful custody and causing malicious wounding in July 1991. They were awaiting trial when they escaped.

Vincent Wood, 32, an IRA sympathiser who hid a cache of Semtex explosive, some intended for an attack on the Prime Minister's country home, had his 22-year jail sentence reduced to 17 years at the Old Bailey yesterday.

A CHRISTMAS MESSAGE

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TAXI DRIVERS TAKE VOW OF SILENCE

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Children were forced to kneel by armed and masked man who burst into their lesson

Schoolgirl's killer blames alter ego for knife attack in classroom

By KATE ALDERSON

A MASKED man burst into a classroom and forced the children to line up on their knees before stabbing a girl to death, a court was told yesterday.

Nikki Conroy, 12, died within minutes in the violent attack. Emma Winter, 12, and Michelle Reeve, 13, were also stabbed at Hall Garth school in Acklam, Middlesbrough, in March 1994.

Stephen James Wilkinson, 30, from Middlesbrough, who was unemployed, blamed an alter ego for the attack. He has denied murdering Nikki but pleaded guilty to manslaughter on the ground of diminished responsibility and to the attempted murders of Emma and Michelle. The prosecution at Leeds Crown Court has refused to accept Wilkinson's manslaughter plea.

David Robson, QC, for the prosecution, told the jury not to let themselves be moved by "dreadful events" over the weekend — an apparent reference to the stabbing of the headmaster Philip Lawrence in London.

He explained that the trial was being held in Leeds rather than Teesside because it concerns "a very emotional event — it is in everybody's interest it is approached in a cool, calm and collected way."

The jury was told that in a holdall Wilkinson took to the school police found a five-page "confession" in which he talked about part of his personality he referred to as Wilson Jinks — an anagram of S.J. Wilkinson — trying to take him over.

Mr Robson said Wilkinson walked into Hall Garth school at about 9.30am and



Michelle Reeve said she would make her pay

went to a classroom on the second floor where a maths lesson was in progress.

The class of 8MR was studying under the supervision of Graham Nellist, a relief teacher, when Wilkinson burst in. He was carrying a holdall that contained several knives, a small axe and a gun, which later turned out to be a replica.

Wilkinson headed for Southill Malik, 12, who was sitting near the door and held what seemed to be a gun to his head. Wilkinson shouted at Mr Nellist: "Get out, get out." Mr Nellist tried to calm Wilkinson but he continued to shout and swear while still holding the gun, and the teacher was forced to leave the room, Mr Robson said.

Wilkinson then told the pupils: "Get to the back of the class or I will kill you." He ordered the children to kneel, close their eyes and put their hands behind their backs. He told the boys to face the wall and the girls to face him.

Nikki, Emma and Michelle were heard crying as

they covered on the floor, and children heard Wilkinson shout: "You are going to pay for what you did to me."

Mr Robson said: "Then Emma Winter closed her eyes, she heard a scream which she believed came from Nikki Conroy and she felt several blows which she thought were punches to her body. In fact they were stab wounds."

Her written statement to the court read: "I knew he had hurt someone. I felt a bang to the rear of my shoulder. I heard Nikki scream."

Ben Sicking, 12, a pupil in the class, said in a statement read in court: "I was frightened. I thought I was going to die. I thought he was going to shoot us." He described how he heard the school alarm go off as Wilkinson shouted: "We are all dead now." He heard thudding sounds and thought people were being hit.

The court was told that after Mr Nellist left the classroom he raised the alarm by shouting: "There's a nutter upstairs with a gun and he's got the kids." This triggered an evacuation of the school.

Christopher Bielby, the school's deputy head, went up to the second-floor classroom where Wilkinson was and was joined outside by Dave Eland, a maths teacher. The court was told that both teachers could see Wilkinson through the glass door and when he caught sight of them he levelled the gun at them.

Both teachers said they thought it best not to endanger the children's lives by making any rash moves and stood outside the door listening.

Mr Bielby told the court: "Then we could see the man stooping down and he appeared to jab one of the



Nikki Conroy, left, and Stephen Wilkinson. He admits her manslaughter and trying to murder two others, but denies murdering Nikki



'I shall steal the lives of society's weakest members'

A VIVID insight into Stephen Wilkinson's mind in the months before the attack came from a six-page document found in his holdall. In his "Thoughts/Confessions" dated January 1994, two months before he stormed into the classroom, he referred to the effect his alter ego was having on him.

He wrote "Wilson Jinks wants to destroy me. If I let him gain ascendancy he will also slaughter the lambs." He also wrote: "This confession may read like that of a lunatic but I can assure you that I am quite sane. In truth I wish only to convey to the world my absolute hatred of it. In doing so I shall steal the lives of society's weakest members: those most vulnerable and those most treasured."

Towards the end of his statement Wilkinson says: "If I am a borderline psychotic, then translating my fantasy into objective reality (is there

such a thing?) will surely push me over the edge. That is why I must die. Mens rea? Perhaps. These are not the words of a lunatic."

"I appreciate the illegality of the prime objective, but I am powerless to resist. I know that if I enter that building I will have crossed the Rubicon and it frightens me. I cannot stop myself. It will be done."

He speaks of writing being a catharsis and he lists books he claims to have written, including *The Story of Wilson Jinks*. He concludes: "It would have been better had I never existed. Life really has been a massive disappointment. I cannot justify living any longer. This confession is the last thing I shall ever write. Read it, study it and understand, for it contains a thousand truths: the whos, whats, whens and whys of all that shall follow."

He finished with poetry:

And what of this artist? He lies in black incubation, surrounded by the walls of his coffin

Sleeping in concrete wombs, buried in amniotic tombs. Waiting

One day he will awaken from this most noble sleep And the world will shake

He said: "This potential to destroy others horrifies me. If I indulge it, if I allow myself to lose control, then it will have won: it will destroy me as surely as it will my victims. And yet I see no alternative."

Until the age of 16 Wilkinson was a pupil at Boynton School, which merged with another to form Hall Garth. The jury was told that a wide range of books on death and other macabre subjects were found in his bedroom. The collection included books on psychology, the occult, after-death experiences, serial killers, sex killers and horror in general.



Band with an open secret: Brian Phillips is top left and Pollyanna Peate is fourth from right on the front row

Fatal last date of blacksmith and his married Pollyanna

By EMMA WILKINS

A LOVE affair in a village band ended in the death of the trombonist, just when he had decided to end his relationship with the euphonium player almost half his age, a court was told yesterday.

A jury must now decide whether Brian Phillips, 62, a blacksmith, simply collapsed and died after a final love-making session with Pollyanna Peate, 34, or whether she caused his death with four angry punches after he told her that their affair was over.

The lovers, both married, were members of the Frodsham Silver Band in Cheshire. Their last meeting took place after an evening rehearsal. Mr Phillips's body was found on the back seat of his car at marshes near the Mersey estuary.

Mrs Peate, a mother of two from Runcorn, Cheshire, denies manslaughter and allegedly told detectives that she had followed instructions previously given by Mr Phillips — on what to do if he ever collapsed, in order to save embarrassment to his wife, Sybil.

Despite her claims that she simply dressed him and went home, Mrs Peate was charged with manslaughter after marks were allegedly discovered on his body. Merfyn

Hughes, for the prosecution at Chester Crown Court, said that Mr Phillips had suffered head injuries consistent with being hit with moderate force by a fist.

The couple's ten-year affair was said to be an open secret. Mr Hughes said: "Members of the band were well aware, it seems, that despite a difference of something like 30 years in their ages, Mr Phillips and Mrs Peate were conducting an affair together. They both successfully concealed the fact from their respective partners."

There was evidence that Mr Phillips had been thinking of ending their relationship and, during interviews with detectives, Mrs Peate said he told her they were having sex for the last time.

"It looks very much as if he had chosen this fateful night to tell her that their relationship was over," Mr Hughes said. "That night they had got in the back of the car together. She said that during the act of sexual intercourse, he had simply collapsed and died."

"She had tried to revive him but, having failed to do so, she dressed him and walked the mile or so back to Frodsham where she caught a taxi home."

Mr Hughes said Mrs Peate originally gave a detailed account of their movements,



Peate: she changed her story, the court was told

making no secret of the affair, but claiming their relationship had been platonic for the last five years. She said they had sat for an hour talking and Mr Phillips had then driven her home.

After she was arrested on suspicion of manslaughter, she began to change her story, eventually admitting that they regularly had sex near the spot where the car was found.

In a statement read to the court, Mr Phillips's wife said she had no idea of her hus-

band's affair. The couple had been married for 39 years. Mrs Phillips had met Mrs Peate at band functions and found her friendly.

"She always made an effort to come across and say hello to myself and my children and grandchildren. I was totally unaware that Pollyanna Peate and my husband were having an affair and this had been going on for about ten years. I did not suspect Brian was seeing anyone else and it came as a great shock to me."

Mr Phillips, a blacksmith at Vauxhall's Ellesmere Port car plant, had suffered a serious heart attack in 1972 and in recent months had been complaining of breathlessness, the court was told.

Mr Hughes said: "The injuries would not normally cause a person's death, but he died not of those injuries but because of the stress and excitement of the violence which put an unbearable strain on what was already a weak heart. It is not the prosecution case that she intended to kill him or even to cause him a really serious injury."

In law, he said, if you assault and injure someone particularly susceptible to serious injury because of an unusual condition or disease, you cannot escape responsibility for the offence of manslaughter because you did not intend your victim to die.

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worsened, if anything, in 1982.

pull up stumps

هكذا من الامل

"This is not just a school problem - kids in their mid-teens are running the streets around here"



Cardinal Basil Hume yesterday with Joanne Scott, vice-chairwoman of governors

Two Triad-style teenage gangs are blamed for head's death

By MICHAEL HORSNELL
JOANNA BALE AND
STEWART TENDLER

TWO teenage gangs who modelled themselves on the Chinese Triads were responsible for the death of the headmaster Philip Lawrence, it was claimed last night.

Children on the streets around St George's Catholic School in Maida Vale, north-west London, said Mr Lawrence had intervened in a revenge attack against a 13-year-old pupil by members of the Wo Sing Wo (WSW) and 14K groups.

Detectives were at the school yesterday when it reopened after the death of Mr Lawrence, a father of four, on Friday. More than 200 statements have been taken. One senior police source said: "I am confident whoever did it will be caught very quickly."

The teenage gangs, who recruit members as young as



Pupils at St George's, which reopened yesterday with a special Mass

13, model themselves on the traditional Chinese organisations based in London's Chinatown. Membership is not restricted to the Chinese and the boys involved in the St George's attack were said to be multiracial, though Chinese-led. The 14K gang is based in the Latimer Road area of North Kensington, and the WSW in Angel, Islington.

The pupil whom Mr Lawrence, 48, had tried to defend was being interviewed by detectives yesterday. He was said to be "no angel" in an area where teenage boys had "taken over the streets".

A 15-year-old Asian boy, who described himself as a Triad member, said: "The 14K and the WSW came looking for him after a Chinese boy complained about harassment. They just meant to teach him a lesson. They wouldn't have been planning to kill him or the headmaster."

Vale, told how he was approached by 14K at an amusement arcade in Piccadilly. "They asked me and friends if we wanted to join. They said their leader was called Dragon, and we would be protected if anyone tried to attack us. I said I wasn't interested."

The WSW and 14K wear bandannas, baggy trousers and loose shirts, said to accommodate knives and other weapons. Senior members in their late teens favour designer

labels. One youth, wearing an Yves Saint Laurent shirt, described the progression from "jackings" - street robbery - to extortion. Many junior members collected protection money from restaurants and shops, he said.

Father Frank Ryan, director of the Marian Community Centre on the South Kilburn estate, said: "Kids in their mid-teens are running the streets around here. Any number of people have been nudged and some talk about it happening two or three times to them. This is not just a school problem, it is a community-wide problem."

"It is hard to do anything constructive for them, but we do our best. The trouble is that staff can be put in danger and so, to a certain extent, we have given up on the kids."

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Libby Purves, page 18
Leading article, page 19

Cardinal Hume urges killer to give himself up to police

By DOMINIC KENNEDY

CARDINAL Basil Hume celebrated Mass yesterday at the school where Philip Lawrence was murdered and prayed with children and staff for both the headmaster and his killer.

The Archbishop of Westminster gave a ten-minute homily inspired by John 15:13: "Greater love hath no man than this, that a man lay down his life for his friends."

Later, outside St George's school, the cardinal called on the killer to give himself up. He said Christians must forgive, but attacked the values of a society that had lost respect for life.

Cardinal Hume, a former Abbot of Ampleforth, told the pupils and teachers, gathered in the dining hall for the service, that they should be inspired by the example of Mr Lawrence, who was stabbed after trying to save a pupil from being attacked.

"When Philip Lawrence appears before God, God will say to him, 'Well done, you are a good man, you did a good job. You died laying down your life for another person and that's a noble thing to do.' Some time or other we will appear before God. We want him to say well done to us and that means being the kind of person Philip Lawrence was. That means being hard-working, disciplined and very generous and respectful towards each other."

The cardinal spoke from an

altar covered with a simple white cloth. There were floral tributes propped against it and a candle flickered on top. He was surrounded by a semi-circle of the school's 440 pupils and staff. Many children had arrived with flowers to join a steadily growing pile. There were both children and adults overcome by tears.

"The headmaster was a friend of the pupils, they were his friends," Cardinal Hume said. "It is right that we should cry. We have to mourn, we have to grieve, it's part of human living. I believe every teacher in this school would have done what Philip Lawrence did." The cardinal and another priest then gave Holy Communion to almost the entire school.

Afterwards Cardinal Hume urged the killer to contact the police and accepted that forgiving him would be difficult.

"The young man who did this terrible crime has to acknowledge it, he has to be punished for it, he has to pay his debt. We have to try hard in our hearts to forgive. It comes slowly but it is part of our Christian thing to forgive."

He added: "We have to look at our society and at the kind of things that allow this to happen. Who are these gangs roaming the streets of this city? That's unacceptable. Why are they carrying weapons? That's unacceptable. All sorts of factors - it can be absence of family life, broken homes, absence of a job, unemployment, bad housing, young people with no hope - we have allowed life to become cheap. Life is sacred - all human life is sacred. We need to let that become part of our civilisation."

Ken Livingstone, MP, whose constituents have been increasingly keen to send their children to St George's since Mr Lawrence's appointment, said he had visited the school a couple of months earlier. "You could see the kids, realised they had a headmaster who loved them and cared for them. He went to his death to help a child. That says all you need to know about this man."



Lawrence: he was seen by his pupils as a friend

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Consumers' Association protests

Solicitors' curb on cheap conveyancing 'will double costs'

BY FRANCES GIBB, LEGAL CORRESPONDENT

A CURB on conveyancing by cut-price solicitors could double the legal fees charged to housebuyers, the Consumers' Association said yesterday. Law Society officers are proposing that a new level of charge is necessary to maintain standards of quality.

Low-cost solicitors are accused of cutting legal corners, increasing the likelihood of negligence claims. Under the proposals, any solicitor who charges rates below an official guideline would not be covered by the profession's indemnity insurance.

Scores of solicitors are expected to descend on the Law Society on Thursday for what is expected to be one of the most heated debates in the profession's history. A society spokesman said: "The debate on Thursday is not about price-fixing, but about the principle that the majority profession should not have to carry the cost of cheap conveyancing and provide insurance cover for it."

The proposed guideline fee is £250 plus 0.5 per cent of the house price. A Consumers' Association spokesman said: "We estimated this would take

a conveyancing fee to £625 for a £75,000 house." That figure was double the average price charged by solicitors now. The Law Society's own research has found that three quarters of conveyances are charged at less than £300.

The Consumers' Association was in the forefront of the move to end the solicitors' conveyancing monopoly ten years ago. Its spokesman added: "This is seeking to re-introduce the monopoly by the backdoor."

"What the Law Society has got to do is to ensure that all conveyancing solicitors provide a quality service and those who provide a poor service — rather than a cheap service, which is not the same thing — should be penalised."

About 11,000 solicitors have publicly declared support for a campaign led by a Bournemouth solicitor, John Edge, to force action over low conveyancing fees, some of which are as little as £150. The argument over charges coincides with a continued slump in the market: total conveyances between January and August were down 9 per cent on the same period last year. Many small

firms are being squeezed out of business.

The proposals to stop the price war have been drawn up by a working party chaired by Martin Mears, the society president, and including Robert Sayer, the vice-president. Their report said that conveyancing fees were at "all-time low", and many believed this was strongly linked to a fall in conveyancing standards. In a simple case, conveyancing can take five hours, but more complex cases can take up to 12-15 hours. Low-cost solicitors must be skimping on their work or delegating to unqualified staff, the report said.

Under the proposals, solicitors who fail to follow the proposed guideline would be refused indemnity insurance cover and instead would have to obtain cover on the open insurance market.

The new guideline fees would have to be approved by the Master of the Rolls. They would not be compulsory. Fixed scales of fees, enforceable by law, were abolished by the Government in 1972.

Law, pages 39, 41

More graduates find jobs but employers still seek high-flyers

BY JOHN O'LEARY, EDUCATION EDITOR

JOB prospects for graduates are continuing to improve, despite stiffer competition in the employment market.

Employment rates for the class of 1994 improved for the second year running, according to the annual survey by the Association of Graduate Careers Advisory Services. Touche Ross, the accountants that sponsored the report, said the survey showed an upturn in long-term job opportunities.

An additional 22,000 students graduated last year, the majority looking for immediate employment. The associa-

tion's report, *What do graduates do?*, said the larger pool allowed employers to select the best candidates. But some employers were still complaining that they could not find the high-flyers they sought.

Nigel Llewellyn, the national recruitment manager for Touche Ross, said: "There is fierce competition between employers for that one-star candidate. The employer market is becoming much more choosy and aware of the long-term value of real talent."

The proportion in work six months after graduation rose

by more than 3 per cent to 47.1 per cent. More of those finding jobs were in permanent employment, rather than the short-term jobs that have become increasingly common in the graduate market. Fewer than 10 per cent were out of work at the turn of the year.

The strongest demand was for graduates in computing and information technology, where 60 per cent of those leaving universities and colleges found immediate employment. There were also sharp improvements in mechanical and civil engineering,



The Princess of Wales setting off for New York, where Americans paid £850 to join her for dinner

New York honours charity Princess

FROM QUENTIN LETTS IN NEW YORK

THE Princess of Wales swept in to New York yesterday to accept a prize for charity work, talk to General Colin Powell, and pick up a few career tips from Henry Kissinger.

The Princess, who has lobbied for a future in diplomacy, accepted her award at a black-tie dinner from Dr Kissinger, the former US Secretary of State. General Powell, said to be a distant relative of the Princess, was also given a prize by the United Cerebral Palsy Foundation.

The New York Hilton dinner was the only official engagement on an "in-and-out", 24-hour royal visit. Tickets for the dinner sold out early, beneficiaries considering £850 a bargain for a night out with a royal. Plutocrat guests included Walter Annenberg, the philanthropist, John Kluge, Randolph Hearst, the British ambassador Sir John Kerr, and Donald and Maria Trump.

The Princess's recent *Panorama* interview has been keenly discussed by Manhattan's moneyed Upper East-siders. Opinion is evenly divided. Some sympathise, but most Americans have little time for self-pity.

One New York newspaper greeted the royal arrival by printing a list of eligible bachelors ranging from John Kennedy Jr to Dr Christopher Calipari, a Park Avenue nutritionist with a gift for small talk.

The royal party arrived on Concorde and checked in, via the back door, to the £670-a-night Carlyle Hotel, an Art Deco landmark noted for its elegance and good views of the Manhattan skyline.

The Carlyle is in an area prone to jewellery thefts. In recent months a smooth-talking burglar has made a series of strikes, escaping with an estimated £160,000 in valuables. Given the Duchess of York's sorry experience in New York last week, police were on full alert yesterday. One officer said: "If Diana is sensible she'll have packed her imitation jewels."

Jail for jealous secretary and her hitman

BY A STAFF REPORTER

A LAUGHING hitman and the secretary who hired him to kill an imagined romantic rival were each jailed for seven years yesterday.

Terese Dorne was subjected to a "nightmare" of violence after an innocent drink with a businessman friend, Sparesbrook Crown Court was told. First CS gas was sprayed into her face. As she screamed in pain, Raymond Johnson or his "unknown" accomplice slashed her across her forehead and then twice across her throat. They ran off laughing in what the prosecution described as a "display of true callousness".

In hospital Mrs Dorne, a mother of two, received more than 60 external stitches during a series of operations and will be scarred for the rest of her life.

Johnson, 25, of Watworth, southeast London, was convicted by a jury last month of conspiring to commit grievous bodily harm with intent. The woman who hired him, Diana Lewis, 24, of Leyton, east London, admitted the conspiracy charge before his trial began.

Passing sentence, Judge Pitman told Lewis that her jealousy had been as much obsessive as it was unfounded. "You decided that you would have her face mutilated to stop it," he said.

She was the "evil instigator" and the manipulator. "You formed a calculated plan over a period of weeks and got your way with terrible results."

Since then Lewis had not shown a flicker of remorse for the injuries she had caused.

The judge described Johnson as an immature man who had fallen under the influence of a "formidable and tantalising" woman.

The court was told that Lewis had worked for an accountant in Highgate Hill, north London, and had been having an affair with a businessman who worked in the same building.

She became consumed with jealousy and presumed the worst after seeing Mrs Dorne, 36, who had recently joined the company, having a pre-Christmas drink with the man.

Relations between the two women deteriorated and Mrs Dorne began receiving anonymous phone calls at her home from Lewis. By the time she returned to work in the new year, "the stage had been set for an act of extreme violence", Andrew Lloyd-Eley, for the prosecution, said.

On January 9 Mrs Dorne left work at 4.30pm and went to her car. As she got in, one of two men who had smiled at her only seconds before leaped against the car door and sprayed CS gas into her face.

Completely helpless, she then felt her face being "pulled". The court was told that as well as a huge gash in her forehead, her throat was cut twice. One wound ran from her Adam's apple round her neck, just missing the jugular vein.



Terese Dorne's face and throat were slashed in the attack by Ivor Raymond Johnson and an accomplice

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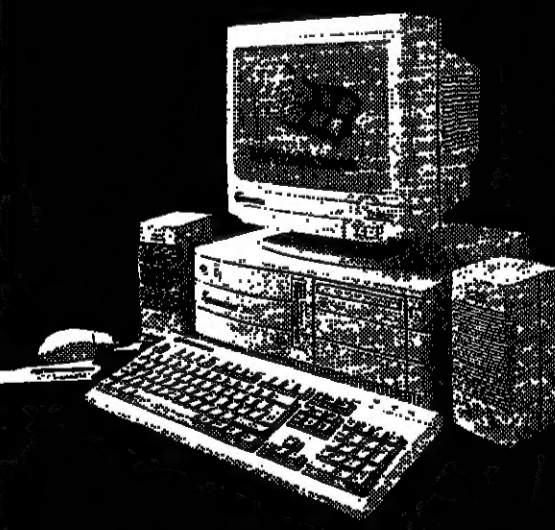
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Chance brings abuser to justice

By Gillian Bowditch

A CHANCE meeting of two women in a café led to their former PE teacher being sentenced to three years' probation for sexual abuse yesterday, nearly 20 years after the offences took place.

George Brough, 52, a former coach with the Scottish basketball team and a father of eight, pleaded guilty to abusing two female pupils at Holy Rood Roman Catholic High School, Edinburgh, when they were 15. As he was sentenced by Lord Johnston in the High Court in Edinburgh yesterday, one victim shouted: "What about our 19 years of hell, you pillar of the church?"

The women, now both 34, met by chance in a café in 1993. One confessed that she had been sexually abused by Brough. The other said the same thing had happened to her and they went to the police.

Craig Scott, for the prosecution, said both girls had problems at home and had confided in Brough, who took advantage of their vulnerability. His affair with one girl began after she went to his home to babysit. Mr Scott said: "He indicated to the girls that if they told anyone he would lose his job and perhaps his family and home."

Brough, who is now a taxi driver, left court with a priest. He was said to have undergone a "spiritual change" since the offences and was now a devout Roman Catholic.

Lord Johnston told Brough that it would not be in the public interest to jail him because of the length of time since the offences and because there was no suggestion that he might reoffend. He also ordered him to carry out 100 hours of community service.

After the case, one victim said: "He affected us so badly that one of us tried to commit suicide. I don't believe he has changed. He has shown no remorse and has hoodwinked church leaders."

Former teacher sparked international condemnation of electric lance



An injured whale being dragged to the side of a Japanese catcher ship. The electrocutions took eight minutes on average, but one took 23 minutes

Japan sues Briton over whale exposé

By Nick Nuttall, Environment Correspondent

A BRITON who exposed the use of electric lances by Japanese whalers is to be sued in a court in Tokyo today.

Mark Votier is expected to be fined about £60,000, with costs of more than £200,000, for breach of contract. It is alleged that he gave film footage of whales being electrocuted to television companies, despite signing an agreement not to.

The legal action, by the Institute of Cetacean Research, which is part-funded by the Japanese Government, is a result of Mr Votier's five months on board the whaling ships *Nishin Maru* and *Toshi* in 1992-93.

During the voyage he witnessed minke whales, allegedly caught as part of Japan's scientific whaling programme, being killed by lances discharging 220 volts. In May 1993 he released the video footage to television stations worldwide, including British broadcasters, prompt-

ing international condemnation. He said: "If I had not released the pictures I could not have lived with the decision. Altogether I watched 30 harpoonings. In about 50 per cent of cases the whales were immobilised instantly, and shackled to the side of the catcher ship for transport to the waiting factory ship."

"But in the other 50 per cent the whales were only wounded. To immobilise them, they were dragged to the bows of the catcher ship and speared with a lance containing a detachable electrode. The gunner then discharged 220 volts of electricity into the animal's body, in most cases causing it to react violently."

"The average immobilisation time, on a conservative estimate, is eight minutes. However, I did witness one particularly botched electrocution which took 23 minutes."

Mr Votier, 38, a former teacher, lived in Japan for seven years and became envi-



Mark Votier spent five months on board Japanese whaling ships. Electric lances are used on whales not immobilised by the explosive charges in harpoons



ronmentally active there. He helped to make a film with Granada Television on Japanese loggers in Borneo.

He now lives in London, and said Japan would not seek his extradition because it was a civil case. He fears, however, that it may seek to enforce any fines through the High Court.

Vassili Papastavrou, a mar-

ine biologist with the International Fund for Animal Welfare, which is backing Mr Votier, said yesterday: "The institute is trying to stifle a basic human right — free speech. It should be condemned internationally by other governments for this court action. It is another attempt by the Japanese to

hide the barbarity of their whaling and particularly their cruel electrocution method."

There is a moratorium on commercial whaling, but the International Convention for the Regulation of Whaling allows members to grant themselves permits for whales to be captured for scientific purposes. Japan plans to catch

440 minke whales this year, an increase of 110 on previous years. It says it wants to study their health and age, and uses the lance instead of a humane-killing gun to preserve the whales for analysis. Critics fear the claim is simply a cover for supplying the whale-meat markets in Tokyo.

At the annual meeting of the International Whaling Commission in June, the British delegation called for a ban on the electric lance. It described the weapon as "extremely ineffective and cruel".

Scientists from New Zealand, whose paper was based partly on evidence gathered by Mr Votier, indicated that the lances were restricted to only 220 volts to protect whaling crews. This meant, however, that the whales were slowly fried rather than being killed quickly.

Delegates at the meeting voted 20 to four to suspend use of the lance, but the vote was not binding. An attempt to introduce a formal ban will be made next year.

NEWS IN BRIEF

Tory MP denies driving charges

Sir Nicholas Scott, the former Tory minister, denied a drink-driving charge yesterday, relating to an incident in which a three-year-old child needed treatment for shock.

The MP for Chelsea pleaded not guilty in his absence to driving with excess alcohol, falling to stop after an accident and driving without due care. Magistrates at Horseferry Road in London adjourned the case for trial on January 26.

Sir Nicholas, former Minister for the Disabled, was charged after his car allegedly shunted a parked vehicle into the boy's pushchair.

Soldier released

Private Stephen Jordan, 23, a guardsman held under close arrest for eight months pending a court martial on theft charges, was freed into open arrest after the Army bowed to pressure from two High Court judges. His lawyers withdrew their application for a writ of habeas corpus.

Screen debut

Unison, the health service union, is to become the first trade union to advertise on television. A £1.2 million recruitment campaign starts on Friday. The 50-second advertisement on Channel 4 features the voice of the actor James Bolam. A cinema campaign may run later.

Post stabbing

A postal worker was seriously ill after being stabbed at a sorting office in Paddington, west London. Kenneth Shaw, 48, was attacked after finding an intruder in the building. A colleague was treated for minor stab wounds. Police are questioning a 60-year-old man.

Shared asset

A four-seater lavatory in the grounds of Cannon Hall, near Barasley, South Yorkshire, has been restored for £13,000 as a tourist attraction. The 200-year-old earth midden is thought to have been used by the Spencer-Stanhope family. The house now belongs to the council.

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Improperly sterilised cattle feed from rendering plants is blamed for outbreak of 'mad cow' disease

Energy-saving moves may have helped BSE to spread

By MICHAEL HORNSBY
AGRICULTURE
CORRESPONDENT

UNSTERILISED cattle feed is likely to have been the main reason for the outbreak of "mad cow" disease that has killed more than 155,000 animals and cast a blight over British beef, scientists say.

Changes in the way cattle feed was processed in the late 1970s and early 1980s, partly to save energy, allowed the organism that causes bovine spongiform encephalopathy (BSE) to remain infectious. No one realised the dangers at the time.

Although rendering plants where feed is made have changed their methods, scientists say they cannot be certain that all the processes used now destroy the BSE agent completely.

Researchers found that four of the 15 processes now commonly used to render down livestock waste in the European Union produced meat and bone-meal with "detect-

A hospital patient has died of the human version of "mad cow" disease. Gloucestershire Royal Hospital confirmed yesterday that a patient had been a victim of Creutzfeldt-Jakob disease, but would not release further details at the request of relatives. The body has been taken to Frenchay Hospital, Bristol, for a post-mortem examination by a specialist pathology team.

able BSE infectivity". This was tested by injecting the material into the brains of laboratory mice which subsequently showed signs of the disease.

Chris Bostock, head of the molecular biology division at the Institute for Animal Health, in Compton, Berkshire, said: "Because of the post-1973 oil crisis there was pressure to adopt less energy-intensive methods and this led to lower temperatures in the rendering process."

Another important factor, the scientists say, was a sharp decline in the use of a chemical solvent to extract fats from livestock waste such as bone and offal. The steam treatment used to remove the solvent at the end of the process also

helped to inactivate the BSE agent. The chemical was phased out because it was thought to be hazardous to rendering-plant workers.

The findings, reported in *The Veterinary Record*, say: "It appears that the effective exposure of cattle to sufficient [BSE agent] to cause the disease could have been the result of a two-stage process involving the cumulative effect of the two major changes in rendering practices."

The practice of feeding cattle on high-protein meat and bone-meal, produced from the rendered-down bones, offal and other unwanted bits of livestock carcasses, increased hugely after the Second World War. It was found to boost

growth and milk yield and seemed a sensible way of recycling waste material. There are about 25 plants in Britain handling some 1.3 million tonnes of carcass remains.

BSE can survive superheated steam treatment at 135C. Some of the methods examined achieved only about 120C and not for long enough.

Regulations introduced throughout the European Union at the start of this year require rendering plants to observe minimum temperature levels. The inclusion of cattle and sheep remains in cattle feed has also been banned since July 1988.

As the controversy continued over the safety of beef, deer farmers and butchers yesterday reported "phenomenal" sales of venison. Nicholas Fletcher, a deer farmer from Auchtermuchty, Fife, said sales had increased by 45 per cent last month. "We are working round the clock to meet orders," he said. Beef suppliers have predicted a further drop in beef prices this week.



Workmen easing a model calf into position yesterday on a three-dimensional poster for the RSPCA highlighting the small size of veal crates used to transport calves on the Continent. The poster at Vauxhall, south London, on a site donated by Mills and Allen poster contractors, is campaigning against a crate system banned in Britain since 1990.

America's king of the Santas gives lessons in jollity

By ROBIN YOUNG

GRUMPY British Father Christmas is going on an American charm offensive under instruction from a consultant Santa Claus flown in from the United States.

Tom Valent, from Michigan, who has a master's degree in Santa Clausery and was official Santa of the Year last year, has been brought in by Index, the 130-store catalogue shop chain, to teach its Santas to be more convincingly jolly. Mr Valent, who runs a school for Santas in his home state, is to induct some 30 British redcoats into the subtle arts of festive jollity tomorrow at the Tower Theatre Hotel in London.

A spokesman for Index, part of the Littlewoods group, said the company had been concerned that British Santas might be too dull, and even deficient in knowing the names of their reindeer.

"Tom Valent is the world's number one Santa specialist and trains all the Father Christmases for the official Santa Claus Foundation in Greenland," the spokesman said. "British children are often left cold by characters who look more like Santa Flaws than Santa Claus. Tom Valent will run a one-day

school for our applicants, teaching them how to get the laugh right and the other do's and don'ts of the job."

Mr Valent's school for Santas is the oldest in the world, founded in 1937, and he has 20 years' experience in the role. Index employs Santas on a regional basis to make flying visits to up to ten stores in each area. "It is important to get the right Santas for this job so we wanted the best Father Christmas in the world to help us do it properly," the company's spokesman said.

Mr Valent is accompanied by his wife Holly, who helps to run his school in the persona of Mrs Christmas, an unfamiliar figure in cheerful British grotesques.

Selfridge's, the Oxford Street store, said: "The real Santa has been coming to our store every year since 1909. There is no charge to meet him and everyone is highly delighted to see him. We do not want any lessons from so-called Santa schools."

Harrods, whose Santa dispenses free books and badges, said: "There is only one Santa, and of course he is at Harrods. He is a very jolly character and we have had absolutely no complaints."

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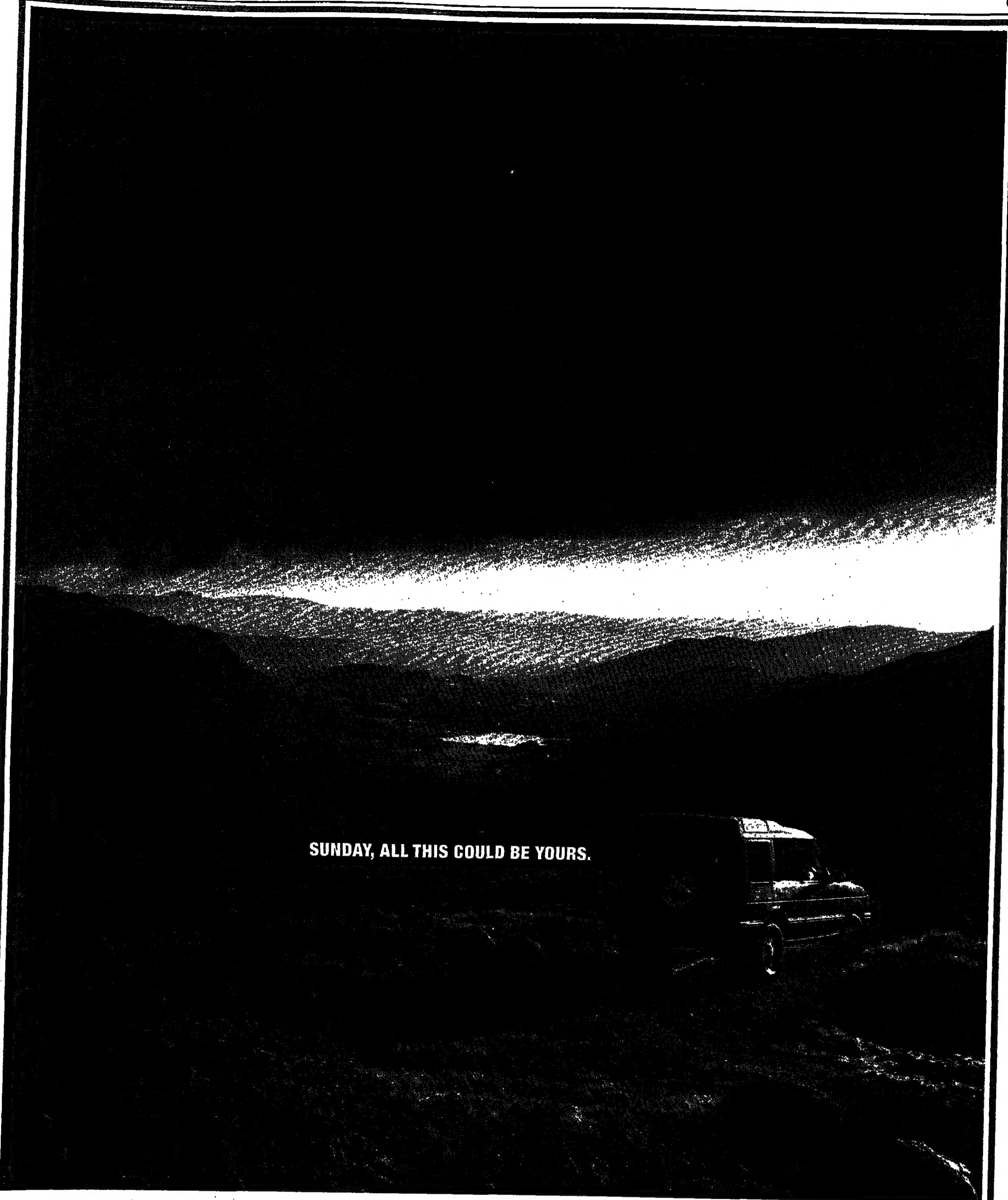
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Howell's criticism puts Major under renewed pressure

By NICHOLAS WOOD, CHIEF POLITICAL CORRESPONDENT

JOHN MAJOR was facing renewed turmoil over Europe last night after David Howell, a former Cabinet minister, indicated that he was standing down at the next election partly because foreign policy was coming off the rails.

Mr Howell, chairman of the all-party foreign affairs committee, accused the Government of becoming obsessed with Europe at the expense of British interests in the rest of the world. The Guildford MP's intervention came as John Redwood prepared to renege the internal Tory feud over a European currency.

Today, Mr Redwood, the former Cabinet minister who challenged Mr Major for the Conservative leadership in the summer, will renew his call for him to rule out a single currency in the five-year lifetime of the next Parliament or, at the least, promise a referendum on the issue.

In an article in *The Times* today, Mr Redwood also criticises France for taking orders from Germany over a single currency.

With European Union leaders due to meet this weekend in Madrid to decide the name of the new currency and to debate Franco-German proposals for deeper integration, the pressure is building on the Prime Minister to stiffen his resistance to closer ties.

At a press conference today, Mr Redwood will launch a crusade to swing business opinion against a single currency as part of his moves to secure a manifesto pledge ruling it out. He will publish a

60-page booklet, which warns firms that economic and monetary union (EMU) would damage the British economy and impose higher costs on the 80 per cent of companies that do not trade abroad and will see no savings from lower currency transaction costs.

Mr Redwood, who plans a nationwide tour to put his case across, will urge companies to learn from their painful experience of the attempt to impose currency stability through the exchange-rate mechanism. The price would again be "unstable interest rates and output".

In his article, Mr Redwood points to the strikes and civil unrest in France as evidence of the folly of hastening to meet the Maastricht conditions for a single currency by the treaty deadline of 1999. He also accuses President Chirac of showing scant gratitude for Mr Major's support for his nuclear testing programme.

"He deserved more thanks

than a hectoring joint letter from Germany and France saying they will press on with monetary union. It contained a sideswipe at British pragmatism for daring to question the policy. There is no point in supporting France if they take their inspiration or even their instructions from Berlin."

On BBC radio, Mr Howell indicated that his disenchantment with the Government's European policy lay behind his decision not to contest Guildford again. He said: "I have felt in recent years that foreign policy was coming a bit off the rails and we seem to have lost confidence, or an ability, to count our own enormous strengths and deploy them."

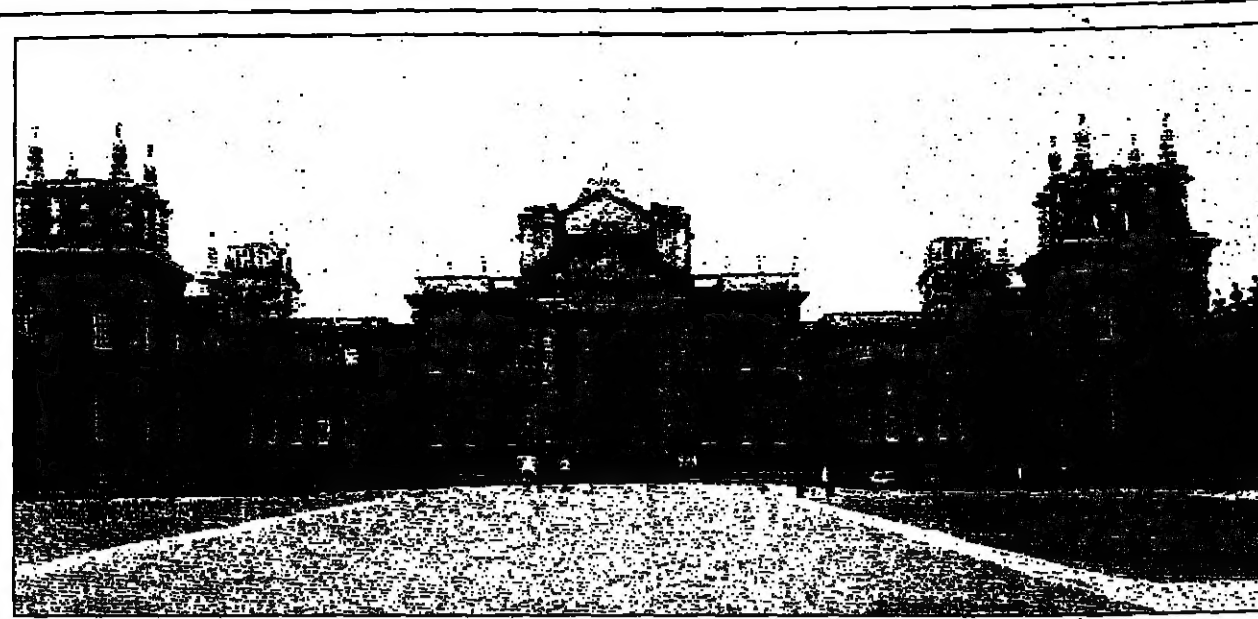
Mr Howell said later that after 30 years in the Commons it was time to move on. But at the same time, his disagreements with policy towards Europe and Bosnia had played a part in his decision. "I plough my own furrow on foreign policy and I am not too thrilled with the ethos of recent years."

He suggested that ministers were overlooking the fact that four fifths of Britain's commercial and financial interests lay outside Western Europe. "We are huge investors around the world," he said. "Vast income comes in from our overseas assets, from the Commonwealth, for instance, and South-East Asia. These are the areas where we have not pursued our interests enough."

John Redwood, page 18



Howell: Britain ignoring the rest of world



The landowners and peers met at Blenheim Palace, ancestral home of the Duke of Marlborough, below right

Worried aristocrats plan for a Blairite Britain

By ALICE THOMSON, POLITICAL REPORTER

THE British aristocracy is so worried about Labour's tax policies that a group of landowners and peers met last week to make contingency plans for a Blair victory at the next election.

Emigration was even discussed as an alternative to struggling on in "genteel poverty" under their vision of a future Labour government.

Almost a hundred members of the aristocracy went to Blenheim Palace, Oxfordshire, for a "Managing Change" conference, at which they debated what to do if a Labour government began raising taxes and closing loopholes in the system. The group, led by the Duke of Marlborough, discussed whether new Labour could be trusted to live up to its promises not to return to the days of unearned income being taxed at 98 per cent for the richest few. Many of them have expensive ancestral

homes to run and are keen to preserve the family Gainsboroughs for future generations.

The duke said: "With a change of Government possible in under two years we need to consider what impact Labour might have on estates such as our own."

Another peer said: "We don't want to be caught with our pants down after the next general election. Many of us are struggling to keep up estates and if Labour decide to be just slightly tougher on us, they could force us to sell up or risk genteel poverty."

However, well-disposed Tony Blair is towards the middle classes. I can't see him inviting landowners along to No. 10 to hear our problems over beer and sandwiches."

Most were urged to realise capital gains early and to use up all their tax quotas. They discussed ways of passing on their inheritance and were



told to think about the possibility of emigrating. They were also advised to accelerate the realisation of income from bonuses, directors' remuneration and dividends.

They were briefed by three of the best-known advisers to the Establishment: the accountancy firm Coopers & Lybrand, the land agents Smiths Gore, and the law firm Withers. The advisers told them what to expect from Labour and its tax, inheritance and rural policies. They also briefed them on the Budget and how to get the most out of it.

Coopers & Lybrand predicted income-tax rates of up to 60 per cent with capital gains tax moving up sharply under Labour. They pointed out that Gordon Brown, the Shadow Chancellor, has said he will not hesitate to tackle "tax abuses and unfair privileges". John Orpen, head of the firm's private-client division, told them: "Labour keeps returning to its theme that it is the wealthy who are avoiding inheritance tax by exploiting the loopholes it intends to reduce or close, which means that you, our audience, need to contemplate them promptly."

But Ewan Cameron, President of the Country Landowners' Association, said that his 50,000 members should not be panicking about Labour yet. "New Labour and the CLA have a lot in common and Tony Blair's enthusiasm for the countryside is refreshing," he said. "We have nothing to fear."

Forsyth warns of devolution danger to £14bn Scottish budget

By GILLIAN BOWDITCH, SCOTLAND CORRESPONDENT

MICHAEL FORSYTH announced a £14.5 billion Scottish budget yesterday with a warning that any tampering with the Union could mean less money in future.

The Scottish Secretary said next year's budget, up from £14.3 billion this year, was more than 35 per cent higher per person, than funding for

England. Such a good deal did not "fall into our laps", but depended on having a government committed to the present funding arrangements and a Scottish Secretary in the Cabinet to ensure Scotland's needs were given due prominence.

Referring to opposition parties' plans for devolution, he said: "To tamper with the Union could weaken irretrievably the ability of the Scottish Office to set and meet the

sort of priorities I have outlined today." Those priorities include extra money for the police and the health service. The police authorities are to receive an extra £145 million over the next three years. The money will pay for 500 more officers — 300 of whom will be appointed next year — DNA testing and improved communications.

The National Health Service in Scotland is to receive a 3 per cent

increase. A further £522 million will be switched from management to patient care over the next three years. Mr Forsyth said the extra money would enable the health service to treat 53,000 more patients. The education budget of £1.27 billion has been frozen, as has that for roads and transport. Nursery vouchers for pre-school children will be introduced in Scotland next year and the Assisted Places

Scheme, which helps families to send their children to private schools, will be doubled. The tourism budget is to rise by £3 million to £18 million.

But Mr Forsyth, addressing the Scottish Grand Committee, also called for belt-tightening and said cuts in Scottish Office administration would save £36 million. The £22 million plan to refurbish St Andrew's House, the Scottish Office's

Edinburgh building, is to be shelved. Scottish Enterprise and Highlands and Islands Enterprise, which support Scottish business, are to have 7.5 per cent budget cuts.

George Robertson, Labour's Scottish spokesman, accused Mr Forsyth of "pretending to be some sort of tartan Santa Claus" when he was presenting about £660 million in cuts in real terms over the next three years.

IN PARLIAMENT

YESTERDAY in the Commons: questions to the Deputy Prime Minister, foreign ministers responsible for overseas development and the MP representing the Church Commissioners were followed by a debate on the Asylum and Immigration Bill, second reading.

In the Lords: debates on Criminal Justice (Compensation Scheme: Education (Scotland) Bill, second reading; administration of the Lords.

TODAY in the Commons: questions to social security ministers and the Prime Minister. Debates on the Health Service Commissioners (Amendment) Bill, second reading; Rising (Canvases and Road) Bill, second reading.

In the Lords: debates on next year's European inter-governmental Conference; relations between Europe and the United States.

Tories shrug off blunder

By JILL SHERMAN, POLITICAL CORRESPONDENT

SENIOR Cabinet ministers pledged yesterday to redouble their efforts to mount an aggressive propaganda campaign, despite Central Office's blunder last week in leaking a draft speech by Lord Mackay of Clashfern that was never made.

Attempts were also being made by senior Tories to play down rumours of a row between Michael Heseltine, the Deputy Prime Minister, and Brian Mawhinney, the Tory party chairman, over the presentation of policy.

A meeting of the Cabinet committee on the co-ordination of government presentation yesterday concluded that Dr Mawhinney should continue his high-profile campaign

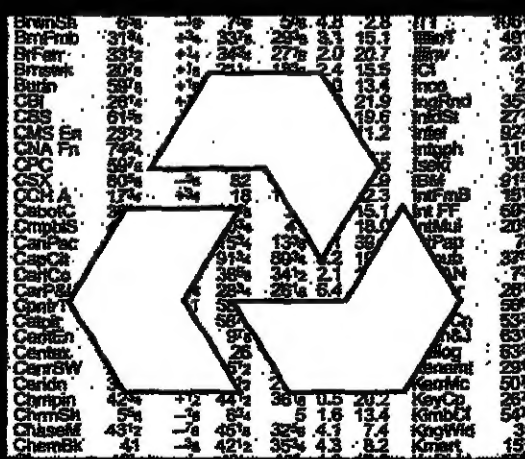
to try to match the tactics employed by Labour spin doctors. The ministers, including Michael Heseltine, Tony Newton, Viscount Cranborne and Dr Mawhinney, also emphasised that there should be no scapegoating of individuals, which would play into Labour's hands.

It was clear afterwards that Dr Mawhinney's colleagues were unhappy with the mistake made by his office last week when it briefed *The Daily Telegraph* on a speech the Lord Chancellor never made. Some ministers expressed concern that Labour had been able to exploit the mistake through the weekend.

Later the Deputy Prime Minister defended Dr

Mawhinney as "a very valued and upright" member of the Government. But in the Commons Mr Heseltine repeatedly failed to answer questions posed by John Prescott, the Labour deputy leader, on the details of the leaked speech.

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East Europeans hope role in peace force will boost Nato membership credentials

Troops from 32 nations to join Balkan mission

By MICHAEL EVANS, DEFENCE CORRESPONDENT

OPERATION Joint Endeavour, Nato's peace mission in Bosnia which will formally get under way after the treaty-signing ceremony in Paris on Thursday, will involve troops from up to 32 countries, including 20,000 soldiers from the United States and 22 from Luxembourg.

Every Nato country except Iceland, which has no army, is contributing troops and equipment for the 12-month deployment of the Implementation Force (Ifor).

Seventeen non-Nato countries have offered troops. Most of them have been accepted for the mission. The only countries not yet confirmed as participants are Bangladesh, Malaysia and Egypt. All three nations played a substantial role during the United Nations peacekeeping mission and are likely to join Nato's operation, but negotiations are still under way.

Planning for the peace operation has been so complex that Nato officials drew up three separate lists: "Green" for those countries all signed up and committed, "Amber" for the ones that have offered but with strings attached and "Red" for the countries whose involvement remains in some doubt.

Operation Joint Endeavour has provided an ideal opportunity for East European countries which want to become members of Nato to improve links with the alliance. Nato officials have said, however, that a willingness to join the Bosnia-Herzegovina operation would not be viewed as the next step towards alliance membership.

Polish commandos, Czech armoured units and troops from eight other former Warsaw Pact nations plan to deploy to Bosnia alongside their new Nato allies. Poland is expected to send up to 900 soldiers to join the American-led multinational division, based at Tuzla in northern Bosnia. The Czechs are offering an 800-strong mechanised battalion to serve with the British in western Bosnia.

Romania, Hungary, Slovakia and Ukraine are providing

engineers, transport units, field hospitals and infantry. Russia has offered 1,500 to 2,000 soldiers. Ukraine has offered Nato the 24th Mechanised Battalion, which is serving in Sarajevo with the UN at present, and a 500-man logistics unit. It is also offering ten transport aircraft but expects to be reimbursed for any airlifts.

Hungary, which has been

chosen as a staging post for the American 1st Armoured Division, has offered 500 engineers for road and bridge building, but wants its troops to be armed only with personal weapons.

All three Baltic States were eager to get involved. Latvia, Lithuania and Estonia have professed a desire to become members of Nato and this will be their first chance to demon-

strate their skills. Latvia hopes to send 150 soldiers next March or April, depending on financial arrangements.

The Latvian soldiers will arrive in Bosnia looking like British troops because they came from the new Baltic peacekeeping battalion which is being formed with the help of the British armed forces. A Latvian diplomat in London said: "They have been instructed in the British drill. It is not our way, but we are people who can quickly change."

The three smallest contingents will be from Lithuania and Estonia, each expected to send 30 soldiers to serve with the Danes and Finns respectively, and from Luxembourg which has offered 22 soldiers and 11 vehicles.

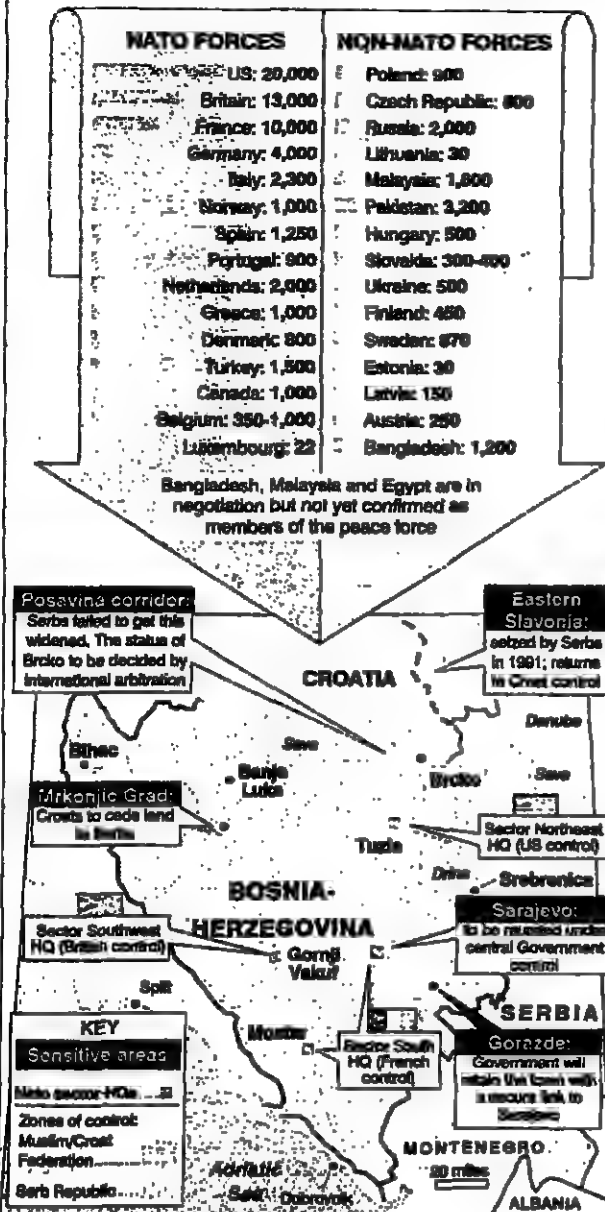
There are still some uncertainties over where some of the troops will be based and what their role will be. The Belgians have offered about 1,000 troops, but 700 of them are still on United Nations peacekeeping duties in Croatia's Eastern Slavonia province, which is returning to Croatian control after being overrun by Serb forces in 1991.

The Belgian Government wants to keep the 700 soldiers in Eastern Slavonia, where they are serving alongside a Russian battalion. Belgium has called on Nato allies to send more troops to the area because of the potential danger of conflict if the handover to Croatian control leads to violence. It is not clear whether this operation will continue to be under UN control or whether it will switch to Nato command.

In addition, a police task force is to be sent to Bosnia to reintroduce law and order into a country that has been overrun with bandits, black marketeers and thieves during the three and a half years of war.

The officers, some of whom may come from Britain, are to be deployed by the UN across Bosnia as the 60,000-man international peace implementation force keeps the warring factions apart over the next 12 months.

OPERATION JOINT ENDEAVOUR



Students demonstrate for a united Sarajevo yesterday as Bosnian Serbs prepared for a referendum on the city's status

Villagers await boom and lust

FROM ADAM LESBOR AT TASZAR AIR BASE, HUNGARY

A VILLAGE in southern Hungary is looking forward to an economic boom in its new role as staging post for 20,000 American Nato troops going to Bosnia. The Pentagon chose Taszar, with a population of 2,000 and home to a former Warsaw Pact air base, as it is only 30 miles from the Croatian border.

Agnes Tapaszti, a local bar owner, said: "We Hungarians are used to having foreigners coming and going through our country. We have had the Turks, Austrians, Germans, Soviets and now the Americans. At least they are an increase in quality."

"Someone in a car with diplomatic plates has already come in and looked around, and told us we needed some Western cigarettes and drinks if the soldiers came here. This is a financial opportunity we have to make the most of."

The operation to bring US troops to southern Hungary started in earnest at the week-

end with the arrival of 111 soldiers, who will create "an intermediate staging base" in readiness for the peace force.

"You'll have approximately 20,000 of the Nato forces flowing through here," said Colonel Ron Williams, who flew in on the first C130 from Ramstein in Germany. About 3,000 troops will be stationed at Taszar and in nearby Kaposvar. A third of them will be engineers and the rest logistical staff.

But some inhabitants of Kaposvar said they feared an influx of crime and Aids. "We are a peaceful community here. It is all going to change," said Tamas Talos. "It is not like when the Russians were here. They were never allowed to leave their base."

"These Americans will be free to roam all over the town. On television, you see GIs in Germany getting into fights on the street. I can imagine a prostitute waiting on every street corner."

Pragmatist wins all sides' respect

BY OLIVER AUGUST

MAN IN THE NEWS

IT WAS Michael Steiner who managed to nail down the Dayton peace deal in Ohio. As the representative of Helmut Kohl, the German Chancellor, he succeeded, where President Clinton had failed, in persuading President Tudjman of Croatia to sign up to the accord.

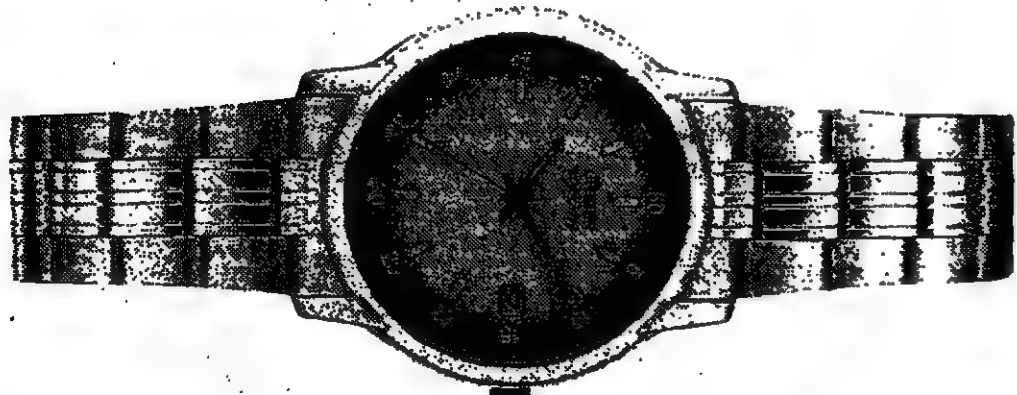
Now he will be the linchpin in the effort to rebuild Bosnia, after his appointment at the weekend as the Deputy High Representative for the Peace Implementation Council. He said: "What I want to do is to show the people there that peace pays."

Herr Steiner, 46, has had a lot of experience of Balkan politics. German officials emphasise that his candidacy was supported by all factions in Bosnia as well as by Carl Bildt, the High Representative and former European Union mediator to Bosnia. Mr Bildt, who will be based in Brussels, will be responsible for international lobby-



Steiner: German expert is right man for the job

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Ordeal of pilots' families adds to pressure on Chirac

FROM BEN MACINTYRE IN PARIS

EARLY reports that two French pilots shot down over Bosnia last summer are still alive have brought hope to the airmen's anxious wives, but also the grim realisation that the men may have become political pawns in the hands of their captors.

Pavle Bulatovic, Defence Minister of the former Yugoslavia, told a Nato delegation visiting Belgrade that Bosnian Serbs would soon issue a "positive statement" on the missing men, raising hopes that Captain Frédéric Chiffot and Lieutenant José Souvigniet, whose Mirage 2000 was shot down over the Bosnian Serb stronghold of Pale on August 30, may be alive and well. The statement would "satisfy" relations of the missing men, Mr Bulatovic said.

The families of the missing airmen have mounted a vigorous campaign to draw attention to them, striking a chord with the French public and bringing intense pressure to bear on the Government of President Chirac. With the Bosnian peace pact due to be signed in Paris on Thursday, M Chirac responded last week by threatening unspecified reprisals unless the Bosnian Serbs provided concrete information on their whereabouts by midnight on Sunday.

M Chirac telephoned President Milosevic of Serbia five

times, emphasising with increasing frustration that he holds him directly responsible for the pilots' safety. But as Sunday's ultimatum came and went, France appeared to back away from its threats, saying only that the peace process was being threatened by the lack of word about the downed pilots.

The French President agreed to meet the pilots' wives tomorrow after they accused the Government of dragging its heels and threatened to attend the signing ceremony. For Nathalie Chiffot and Isabelle Souvigniet, government pressure to solve the mystery surrounding the fate of their husbands is welcome but belated, in the wake of four months of nightmarish uncertainty.

"We learnt everything from newspapers and the television. The Ministry of Defence told us nothing," Mme Souvigniet said. "To sign the Bosnian peace treaty before our husbands are on their way home is out of the question."

The French Government has said that the signing will go ahead as planned.

The ordeal of the two wives has sparked widespread public sympathy across France and support committees have circulated a petition calling on the Government to increase pressure for the release of the

men. Captain Chiffot's father has lobbied local politicians in the South of France, while the symphony orchestra in Nancy held a fund-raising concert last week near the air base in Lorraine where the two men were stationed.

Since August the pilot's families have swung between hope and despair amid conflicting reports from Bosnia, first that the men were alive and well, but later suggesting they had been murdered, abducted or remain seriously injured in captivity.

In September, *Paris Match* magazine published photographs of the downed pilots, raising hopes of an imminent release. That was followed by strenuous but hitherto fruitless efforts, official and covert, to obtain firm news of the men and to win their release. One French report last week said that one of the men had had a leg amputated and that both were receiving hospital treatment and were too ill to be moved.

In October, Radovan Karadzic, the Bosnian Serb leader, said the men had been abducted by Muslim terrorists from a hospital in Pale.

The pilots' wives and their lawyer say that until last week the Government kept them in the dark and refused to make too big an issue of the missing men for fear of derailing the peace process. "I have been waiting a long time for that," Mme Souvigniet told *Le Journal du Dimanche* after M Chirac issued his ultimatum last Tuesday.

But for the pilots' families the waiting may not be over yet. Despite the reports suggesting that the men are alive, speculation is rising that they might be hostages of General Ratko Mladic, the Bosnian Serb forces' chief, who could try to use them as a bargaining chip.

Mr Karadzic has also implied that he could accelerate the release of the men in exchange for assurances about the future of the Bosnian Serb population in Sarajevo. That suggestion was flatly dismissed by the French Government.

Juppé to talk with all union leaders next week

BY BEN MACINTYRE

IN a fresh concession to the unions whose strikes have paralysed France for the past 19 days, Alain Juppé, the Prime Minister, last night announced that the Government would hold meetings next week with all union leaders on the entire range of employment issues.

Earlier, striking French unions widened their demands after a series of meetings between M Juppé and union leaders ended in deadlock and a fresh burst of union defiance.

Marc Blondel, leader of the Force Ouvrière union, demanded negotiations over wages and unemployment, as well as M Juppé's package of welfare reforms which sparked the continuing wave of strikes.

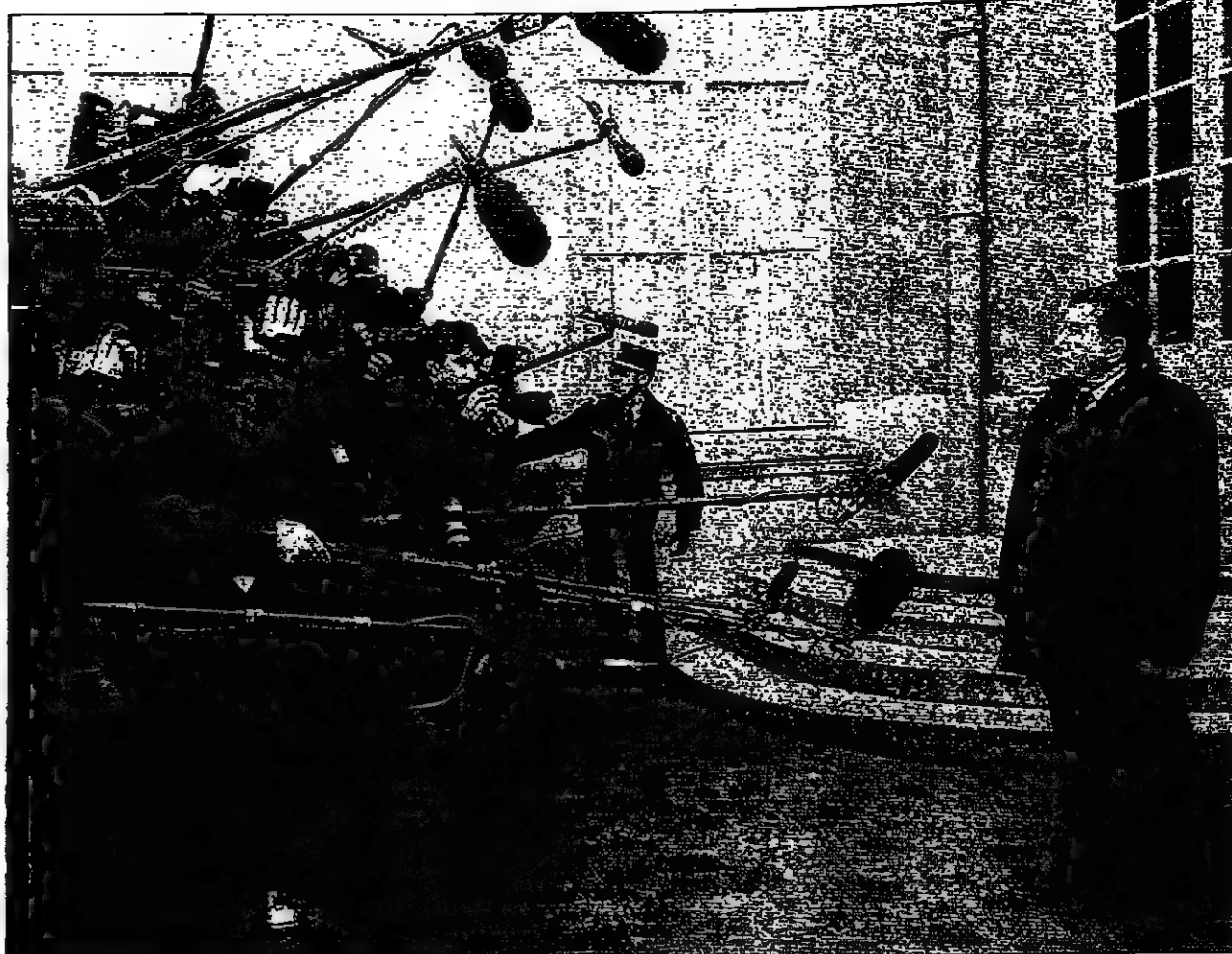
"I urged global talks, involving unions as well as business leaders and most certainly the Government, which should focus not only on the current crisis, but also on matters of unemployment and wages," M Blondel said, in fighting mood after meeting with the Prime Minister.

Union leaders also renewed calls for increased strike action and mass demonstrations to mark another day of action today as the crippling public-sector strike enters its nineteenth day.

After flatly refusing to negotiate for more than two weeks, M Juppé suddenly announced on Sunday that he was now prepared to hold direct meetings with union heads. He also offered concessions on some crucial aspects of welfare reform, while standing firm on the central planks of his plan to overhaul the indebted social security system and to reduce France's deficit in time for European monetary union.

But, instead of defusing the protest, the Government's more malleable stance seemed only to have bred new confidence and increased militancy among the strikers, who may now scent victory.

Most strike leaders appeared unready to compromise as they emerged, one after another, from face-to-



Louis Vianet, leader of the Communist-led CGT union, faces media representatives after seeing Alain Juppé, the Prime Minister, at the Hotel Mâtignon in Paris yesterday. There was "total disagreement", he told reporters.

6 Instead of defusing the protest, the Government's more malleable stance has bred new confidence and militancy among strikers, who may now scent victory

pressed Government.

"Alain Juppé takes a step back," declared one headline in the Paris press. "Juppé sounds the retreat," announced another newspaper. "Negotiations must end with something concrete, a document," promises, M Blondel said before meeting the Prime Minister.

Although public-sector workers have begun trickling back to work in the last few days, union leaders predicted another huge turnout in response to today's renewed strike call. Last week more than one million people took to the streets, and M Juppé has said that if the number of demonstrators exceeds two million his Government will collapse.

The Prime Minister said he was not averse, in principle, to a "social summit" involving all union leaders. "The important thing is to get around a table and find a solution," M Juppé said, noting that continued strikes would have "cata-



Juppé: concessions did not end strike chaos

strophic economic consequences". But M Blondel said after yesterday's meeting that he believed M Juppé was not prepared to open wide-ranging negotiations.

The Prime Minister must now walk a fine line, since further concessions would seriously undermine his remaining credibility. Financial

markets responded nervously to the perceived government retreat and the franc lost ground in early trading. The opposition Socialist Party has tabled more than 5,000 amendments to legislation that would enable the Government to push through reforms by decree, but M Juppé is expected to employ a constitutional amendment to cut short debate and sidestep the attempted filibuster.

France remained at a standstill yesterday with no trains, underground or bus services in the capital and many other cities. Airline unions have called for another strike on Friday and Saturday, compounding the pre-Christmas travel chaos. The South of France suffered a series of power cuts yesterday as striking electricity workers continued to disrupt power production.

The strikes have affected other public sectors such as hospitals, the post office, schools and docks.

In the southwestern city of Bordeaux, where M Juppé is Mayor, rubbish continued to pile up in the streets as a strike by rubbish collectors continued for a seventh consecutive day. Bus drivers and dock workers also maintained the work stoppage.



Lieutenant Souvigniet, left, and Captain Chiffot: the downed officers' fate remains a mystery

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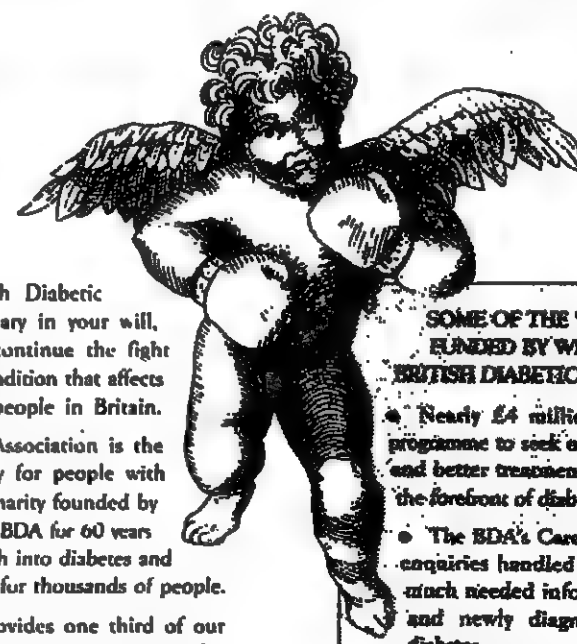
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TIMES 12/12

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Dini backs Kohl on deadline for single currency

FROM PETER BILD IN BONN AND JOHN PHILLIPS IN ROME

LAMBERTO DINI, the Italian Prime Minister, last night distanced himself from British scepticism over Europe's single currency and underlined his support for French and German plans for monetary union starting in 1999.

After a meeting in Bonn with Helmut Kohl, the German Chancellor, Signor Dini did confirm that he supported British ideas for a deeper study of the effects of a single currency on European Union states both inside and outside it. But he was clear that Italy backs the single currency timetable set out in the Maastricht treaty, even though the Italian economy is unlikely to qualify as a founder member of a new currency zone. The study could be completed within two years, he said.

Hints that Italy might help Britain to slow down progress towards a single currency — news that emerged after a meeting between John Major and Signor Dini last week — appear to have been overplayed by Downing Street. Their meeting in Florence took place a day before a summit between Herr Kohl and President Chirac.

The date for a decision to be taken on EMU remains spring 1998. There must be no delay and no procrastination, Signor Dini said. Noting growing convergence among members, he said that even Italy might qualify in 1998 to join a currency club the following year. The Italian leader backed the Kohl-Chirac line

that weakening the Maastricht criteria or delaying the timetable for EMU "would be a big risk that Europe cannot afford". He said that it was false to interpret his meeting with Mr Major as support for slowing progress towards full monetary union.

Italy takes over the European presidency from Spain next year and will host the start of the inter-governmental conference at the end of March to plan enlargement and to reshape the institutions of the EU. The exercise is due for completion by mid-1997.

Signor Dini highlighted problems that could arise between members and non-members of a single currency club, the so-called "ins" and "outs", after 1999. Germany is worried about potential currency devaluations among the "outs" which would damage its export competitiveness. Ita-

ly is concerned that it could come under huge pressure from foreign exchange markets to raise interest rates to defend the lira, which could make single currency membership a distant dream.

"We have to be sure that economic and monetary union does not put the whole European edifice at risk," Signor Dini said. He added that he had told Herr Kohl that Italians were strongly pro-European; that was true whatever the completion of the Government.

Without directly criticising Franco-German plans, Signor Dini was sceptical about the Kohl-Chirac move to insert a clause into the Maastricht treaty to enable members to opt out of decisions on European integration without holding up the rest of the Union. The proposed clause is seen as a warning shot to Britain to avoid foot-dragging, which would exclude it from the core of European decision-making.

Signor Dini opposed proposals to create a two-speed Europe. "Anything which tends to divide European countries would be negative," he said.

Yesterday, the Italian parliament began examining Signor Dini's 1996 budget to ensure that it would put Rome on course for meeting EMU targets. The Prime Minister is intent on reducing Italy's budget deficit from about 7.9 per cent of gross domestic product to the Maastricht maximum of 3 per cent.



Dini: rejecting British calls for EMU delay

Businessman on corruption charges to be head of Fiat

FROM JOHN PHILLIPS IN ROME

CESARE ROMITI, the managing director of Fiat, who Italian magistrates want to try on corruption charges, yesterday was named the new chairman of the vast industrial empire to replace Gianni Agnelli.

A brief Fiat statement said that Signor Agnelli, who will turn 75 in March, is to leave the chairmanship of Italy's largest private company "in the next months". The appointment of Signor Romiti was a surprise because of the judicial woes of the managing director. Signor Agnelli's brother, Umberto, had been widely expected to take over the Fiat helm.

Signor Agnelli "will remain always close to Fiat for the most important decisions" since he remains chairman of

the IFI holding company that owns the industrial group, the statement said. The magazine previously announced in 1992 that he would stand down by 1994, but he remained as chairman to navigate his empire through a difficult period.

Magistrates in Turin last week requested that Signor Romiti stand trial on corruption charges together with the chief financial officer of the company, Francesco Paolo. Signor Romiti is frequently quoted on national economic and political issues. Most recently, the Fiat managing director had caused a minor political storm by indicating he has more faith in the former Communists, the Democratic Party of the Left (PDS), than the conservative Freedom Alliance, led by

media tycoon Silvio Berlusconi, who faces trial on corruption charges next month. Political commentators interpreted this as an attempt to curry favour with the magistrates in Turin.

Signor Agnelli told a conference of managers in Turin yesterday that Fiat now has "overcome the emergency phase of its accounts" and that he therefore would reinsert into the company statute a clause stipulating an age limit of 75 for operational jobs.

He said Signor Romiti will "assume responsibility of the company in the next years" to guide the "generational changeover" towards a younger management. It is assumed Giovanni Agnelli, Umberto's son, will eventually take control of the dynasty.



A policeman checks the debris after a letter bomb exploded yesterday at a post office in Graz, southern Austria. A second device did not explode. Police believe that the incident and earlier letter bomb attacks, in which four people died, were the work of right-wing extremists (Marcia Hill writes). Nobody was injured in the blast in

Austria mail blast

Graz, which is 100 miles south of Vienna. "It was like a flash of blue lightning. I thought it was a firecracker," one witness said. Police are examining the second unexploded bomb. This is the fifth series of bombs

since 1993. Four men were killed in Oberwart last February and more than 12 people have been injured, including Helmut Zilk, the former Mayor of Vienna. Police have issued a warning that the bombs have become more sophisticated and could be detonated by high-frequency radio signals, such as those from mobile phones.

Weary voters shun Zhirinovsky

FROM RICHARD BEESTON IN MOSCOW

RUSSIA'S nationalist demagogue, Vladimir Zhirinovsky, who was once tipped for the Kremlin leadership, is resorting to shock tactics to avert a humiliating defeat in parliamentary elections on Sunday.

According to the latest opinion polls and expert predictions, the maverick neo-Fascist, who secured nearly a quarter of the vote two years ago, is likely only to scrape into parliament.

The electorate of Vladimir Zhirinovsky's Liberal Democratic Party of Russia is dwindling away and the party will be forgotten six months after the parliamentary elections.

The *Rossiyskiye Vesti* newspaper predicted in an analysis of its decline.

An opinion poll released at the weekend showed the party in sixth place with just over the 5 per cent required to qualify for seats in parliament. The survey, published



in the daily *Nezavisimaya Gazeta*, suggested that Mr Zhirinovsky's party had secured 5.7 per cent support. The Communists had 22.9 per cent, the centrist Our Home is Russia had 10.9 per cent, the centre-left Women of Russia had advanced to 10 per cent, the liberal Yabloko had 9.5 per cent and the nationalist Congress of Russian Communities had 6.5 per cent.

The opinion poll appeared to confirm that Mr Zhirinovsky's opponents have learnt from his skilful 1993 campaign, when he manipulated the media and presented the only nationalist platform.

His attempt to repeat his coup has landed him in trouble. The Central Election Commission warned the ultra-nationalist at the weekend that, unless he toned down his rhetoric, it would recommend that his party be banned from participating in the elections.

In one of his latest outbursts, Mr Zhirinovsky made an unusually bitter attack on President Yeltsin and played on racial and ethnic strains. "Yeltsin today is like Brezhnev at the end of 1982," he said. "He is a puppet. They wheel him in and wheel him out."

He also delivered a warning that if he came to power he would drop napalm on several villages in the break-away republic of Chechnia if one Russia were killed by rebels. He also said that a vote for the reformists was a vote

for the Jews. Despite such tactics, experts predicted that it was too late for a comeback, even allowing for Mr Zhirinovsky's considerable debating talents on television and the large percentage of undecided voters.

"Everyone knows everything by now, preferences have been made and the television campaign causes nothing but heartburn," said Mark Urnov, the head of the presidential analytical centre.

Chechen ambush: Akhmed Zakayev, a minister in the Chechen separatist government who has been involved in peace talks with Russia, was seriously injured and several other people were killed in an ambush on their convoy, Tass reported yesterday. Russian military sources said the attack happened near a Russian military post about 20 miles from Grozny, the Chechen capital. (AFP)

Killing of children becoming war tactic

By Peter Capella

WITH two million killed and about four million disabled in the past ten years, children are increasingly becoming the targets as well as the victims of modern warfare, according to Unicef.

In its annual report, *The State Of The World's Children*, the United Nations Children's Fund says that 90 per cent of the victims of conflict are civilians instead of soldiers, compared with 70 per cent during the Second World War and about 50 per cent in the 19th century.

The agency claims that children are the most vulnerable, and often face the choice of being viewed as a future enemy or being recruited as soldiers. The report quotes one inflammatory radio broadcast in Rwanda shortly before the genocide which said "to kill the big rats, you have to kill the little rats".

The agency blames more lightweight weapons for the "frightening escalation" in the number of child soldiers in 25 countries. It says children can be proficient killers and better soldiers than adults. "They do as they are told, they are less likely to run away and they do not demand salaries," according to the report.

Unicef also highlights the deliberate use of sexual violence against children in recent wars. During fighting in Bosnia-Herzegovina and Croatia, teenagers were deliberately raped "to force them to bear the enemy's child".

Unicef has produced an anti-war agenda that includes a pledge to boycott companies linked with landmine production. The report also underlines substantial progress in children's welfare accomplished in more peaceful regions in the past 35 years.

Congress critic: Daniel Spiegel, the US Ambassador to the United Nations in Geneva, delivered an unprecedented attack yesterday on "forces of reaction and isolation" in Congress, accusing them of driving the UN to the brink of bankruptcy with massive cuts in American contributions. "They are turning our country into the international equivalent of a deadbeat dad, the absent father who won't support his children," he said.

NEWS IN BRIEF

Six die in Madrid bombing

Madrid: Suspected Basque terrorists detonated a car bomb in a busy plaza of the Spanish capital yesterday afternoon, killing six people and injuring 18 others, three seriously, just days before a European Union summit here (Edward Owen writes).

Five of the six dead were civilian employees of the Spanish Navy, travelling in an unmarked minibus. The other fatality was a woman passer-by. Police suspected that the blast was caused by about 50kg of chemicals detonated by Eta separatists.

Nerve gas pleas

Tokyo: Two senior members of the Aum Shinrikyo cult pleaded guilty at a public hearing to spreading sarin gas in Tokyo's subway last March in an attack that killed 12 people, reports said. (AP)

Desert storms

Dubai: Heavy rains, hail and fog hit the desert Arab Gulf states, killing nine people in a road accident in Saudi Arabia and causing flight delays in the United Arab Emirates, officials reported. (AFP)

Arson deaths

Athens: An Albanian father, two of his children and a nephew died, and four other members of his family were in critical condition, after arsonists set fire to their apartment here. (AP)

Kaifu to quit

Tokyo: The former Prime Minister, Toshiki Kaifu, is to quit as leader of Japan's main opposition party, Shinshinto, and will back its secretary-general, Ichiro Ozawa, as his successor. (Reuters)

Burns victim dies

New York: Harvey Kaufman, 30, the subway clerk badly burnt when robbers set fire to his booth in an attack copied from a new film, *The Money Train*, has died. There have been more such raids. (Reuters)

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Democrats exploit Gingrich factor in California poll

FROM MARTIN FLETCHER IN WASHINGTON

THE people of San Jose, California, vote today in a congressional by-election, and the result will reverberate across the continent.

The Democrats have shamelessly turned the contest into a referendum on Newt Gingrich, believing that the man hailed as America's de facto President barely a year ago has become the Republican Party's biggest liability.

Just as the Republicans seized Congress by running against President Clinton in November last year, so the Democrats see challenging the House Speaker as their route to recovery next November.

Tom Campbell, the Republican candidate in San Jose, is a social moderate who disagrees with much of Mr Gingrich's agenda, but you would never know that from listening to Jerry Estruth, his Democratic opponent.

"Mr Gingrich has the most radical agenda in the history

of the country," Mr Estruth, a stockbroker, told every campaign rally. "Do you want to continue what Newt Gingrich has been doing, or do you want to say no to Newt Gingrich's agenda? If you're satisfied with the direction he is taking the country, then vote for Tom Campbell."

The Democrats' campaign literature refers to the "Gingrich-Campbell team". California's Democratic Party chairman even offered to fly Mr Gingrich out from Washington so he could campaign for his "old friend and ally, Tom Campbell". The strategy has paid off: Mr Estruth has steadily eroded Mr Campbell's daunting lead to the point that today's outcome is too close to call.

Ron Wyden, the Democratic candidate in a Senate by-election in Oregon next month, is also portraying his race against a moderate Republican as a "choice between

mainstream values and extreme values".

The public has recoiled in recent weeks from the perceived harshness of Mr Gingrich's "Republican Revolution". He is being investigated by an independent counsel for alleged campaign finance violations. The majority of Americans see him as abrasive and confrontational, and his petulant complaints about ill-treatment on Air Force One last month made him the subject of national ridicule.

Polls show that the Speaker is now as unpopular as President Nixon was at the height of the Watergate scandal and Republican congressmen have begun distancing themselves from him. Even Mr Gingrich has admitted that he fears he is undermining his own "revolution". When he returned to Washington, he promised to adopt a lower profile — a pledge few believe he is capable of fulfilling.



Lisa Marie Presley leaves Beth Israel Medical Centre North in New York after visiting her husband Michael Jackson, the pop star. Doctors said he was showing signs of recovering from a viral ailment that made him collapse at a rehearsal last week.

Peres urges US to break Syria talks deadlock

FROM TOM RHODES IN WASHINGTON

SHIMON PERES, the Israeli Prime Minister, urged the United States yesterday to help to break the deadlock in peace negotiations with Syria and bring an end to conflict in the Middle East.

In his first visit to Washington since the assassination of Yitzhak Rabin, Mr Peres was expected to discuss with President Clinton the possibility of a formal alliance between Israel and America and to offer proposals to revive stalled talks with Damascus, over the Golan Heights.

From his first day in office after the death of Mr Rabin last month, Mr Peres has made peace with Syria an overriding priority and said he had brought a number of ideas to the White House to help in engineering a settlement. In earlier visits to Jordan and Egypt, Mr Peres appeared to have gained support for a Syrian deal from King Hussein and President Mubarak.

"The Syrians are sending messages that they are prepared to listen to new proposals," he said at a memorial rally for Mr Rabin in New York's Madison Square Garden, the previous day. "Now maybe we can [make] peace with Syria and Lebanon. If we succeed, this shall be the end of war in the Middle East."

Syria and Israel last held talks in June; they foundered over Israeli demands for early-warning stations on the Golan Heights, the plateau captured during the 1967 war which has become a symbol of division between the two countries. Syria has always made peace conditional on a complete withdrawal of Israeli

forces from Golan, while Israel has said that the scope of its pullout must depend on Syria's willingness for peace.

America has been working behind the scenes to push the process forward, before the Peres visit. Mr Clinton has made the Middle East a foreign policy priority since the start of his Administration.

Dennis Ross, the chief US mediator in the Middle East, has held meetings with President Assad of Syria and it was announced that Warren Christopher, the Secretary of

Jerusalem: Israel is to build another 100 homes for Jewish settlers on the annexed Golan Heights which the Syrian Government wants back in exchange for peace, officials said yesterday.

Benjamin Ben-Eli, the Housing Minister, approved the building of the flats at Katzrin on Sunday, said Sammy Bar-Lev, the mayor of the Golan's main Jewish settlement. (AFP)

State, would visit Jerusalem and Damascus soon after Mr Peres's trip to Washington.

□ Rabat: Mr Peres plans to discuss ways of accelerating the Middle East peace process when he meets King Hassan of Morocco on his return from Washington tomorrow (Mark Hubbard writes). A senior source close to the King confirmed yesterday that Mr Peres had requested the meeting with the monarch in Rabat. Morocco has been encouraging the Israelis and Palestinians to exploit the momentum for peace created by the Rabin assassination.

Husain orders arrest of Israeli deal critic

BY CHRISTOPHER WALKER, MIDDLE EAST CORRESPONDENT

KING HUSAIN of Jordan has launched a crackdown against opponents of his 14-month peace treaty with Israel by sanctioning the arrest of one of his most outspoken and popular critics. Laith Shubailat has been charged with creating civil strife, an offence that could carry a death sentence.

Jordanian officials said the Hashemite monarch was trying to break down resistance among the Islamic-dominated professional unions, which represent more than 100,000 people. They have ordered the expulsion of any member working with Israelis.

Mr Shubailat, the head of the 35,000-strong engineers' union and a former MP, was arrested at the weekend,

sparking widespread protests. A judicial source in Amman said he had been "charged with violating the dignity of the King and incitement in breach of the criminal law".

He could face a life sentence with hard labour for incitement of civil war or calling on Jordanians to take up arms against each other, although the death sentence can also be applied if the incitement leads to material damage.

Before his arrest, Mr Shubailat said: "Jordan is boiling and sitting under a revolution much bigger than the 1989 revolution." He was referring to riots that erupted over soaring prices and prompted the King to call the first election since 1967.

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denies
asylum
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Peking may allow foreign press to attend Wei's trial

FROM JONATHAN MIRSKY IN HONG KONG

THE trial of Wei Jingsheng, China's most famous dissident, will open tomorrow and foreign reporters may be permitted to attend while Mr Wei defends himself. It was announced yesterday.

However, no foreign lawyers will be allowed to defend Mr Wei, the spokesman for the Peking Intermediate People's Court said. An international committee of former Attorneys-General, including Nicholas Katzenbach and Richard Thornburgh who served Presidents Lyndon Johnson and George Bush, chief justices, and bar chairmen from America, Canada, Britain, Singapore, and France have applied for visas to join in Mr Wei's defence.

He is charged with planning to overthrow the State and faces a minimum ten-year sentence and possible execution. In 1979 he was sentenced to 15 years in prison after publishing essays and writing wall posters attacking the Communist Party, Mao Tse-tung and Deng Xiaoping. Briefly released in 1993, Mr Wei was rearrested last year. After 20 months it was announced that he would be tried for sedition. He was nominated for a Nobel Prize this year. The spokesman for the Peking court said that, in accordance with the country's procuratorial system, judges were interrogating Mr Wei to examine the state procurator's charges. "There is no need for Wei's family to be present," he said. "This practice is the same the world over."

A panel of judges will conduct the trial, which could last only one day. In accordance with the maximum "verdict first, trial later" Chinese courts rarely find defendants not guilty and Mr Wei's punishment is likely to be harsh. "You could not call this a secret trial. It is open," the spokesman said.

He added that Mr Wei's family could attend as well as "the public" which in China means selected witnesses. Some experts believe that Mr Wei may be deported, perhaps on medical grounds, in accordance with past trials of well-known dissidents — most recently that of the US citizen Harry Wu, who received a 15-year sentence for penetrating China's gulag system, but was expelled to the United States on the same day.

However, Mr Wu was an American for whom the White House spoke strongly. Other well-known Chinese dissidents who have been expelled in past years served as chips in Sino-American bargaining. That game essentially is over and Peking knows it. In 1993, Mr Wei himself wrote to President Clinton that, for American capitalists, "anything goes" and that "hostage transactions used the freedom of the prisoner as a bargaining chip in the economic poker game". But soon after his release in 1993 Mr Wei also said that, without international pressure, he would have died in prison.

When Helmut Kohl, the German Chancellor, visited Peking last month he handed over a list of political prisoners to his hosts, with Mr Wei's name at the top. When Peking responded by announcing its intention to try him, America and other countries responded rapidly. During his recent summit with President Jiang Zemin in New York, President Clinton is said to have inquired about Mr Wei and three other prisoners.

That contrasts with previous years when the officials of the United States and other countries made a point of inquiring about imprisoned dissidents — sometimes numbering several hundred — whose names were on lists.

In March 1993, John Shattuck, the Assistant Secretary of State for Human Rights, met Mr Wei in Peking. Mr Wei was almost immediately rearrested, as was his secretary, who remains in prison. Since then most of the very small dissident community in China, who in any event were in only loose contact with each other, have been silenced. At least a dozen members have disappeared without trace into the maw of the security police system.

Of those, Wang Dan, who had already served a four-year sentence as a Tiananmen "black hand" and been paroled, is the most famous. His mother and the wives and mothers of other detainees have clamoured for news of their relations but without success.

Leading article, page 19



Wei: foreign lawyers have been excluded

South Korean prosecutors reopen Chun bribe inquiry

FROM AGENCE FRANCE-PRESSE IN SEOUL

SOUTH KOREAN prosecutors yesterday reopened an investigation into corruption scandals from the 1980s involving former President Chun Doo Hwan, already detained over his role in a 1979 military coup.

Prosecutors said they are also preparing to add corruption charges to the list when Mr Chun, who is on hunger strike in jail, is indicted this month for masterminding the coup. The former dictator was jailed on December 2 on charges of arresting senior army commanders in 1979 and of ordering soldiers to shoot pro-democracy demonstrators in the city of Kwangju.

For the past nine days, Mr Chun, 64, has been drinking

only barley tea to protest his innocence. He has lost almost a stone but prison doctors check his health twice a day, officials said. Prosecutors said they had interviewed several business tycoons in the past week about Mr Chun's activities and confirmed that in 1988 he raised more than \$390 million in a slush fund.

"Some conglomerate leaders have been investigated to see whether Chun has salted away any money and if so how much," said Choi Hwan, the head of the Seoul district prosecutors' office. News reports said Mr Chun collected between \$6.5 million and \$13 million at a time in return for allowing a conglomerate to take over an insolvent but

potentially lucrative firm. For a licence to open a golf course, Mr Chun allegedly collected between \$13 million and \$6.5 million. Prosecutors said the businessmen involved would not be charged because of a five-year statute of limitations.

Mr Chun was succeeded in the presidency by his 1979 military coup colleague, Roh Tae Woo, who has been jailed after admitting to raising a \$650 million slush fund while in office from 1988 to 1993. Prosecutors who are investigating bribes to Roh questioned Kim Yong Ho, the Seoul branch head of the US Lockheed Martin company, yesterday over South Korea's decision to buy American-made fighter jets.



Three rare Sumatran tiger cubs make their public debut at Taronga Zoo in Sydney yesterday, six and a half weeks after their birth. The species is close to extinction, with at most 600 in the wild and 200 in captivity

Embassies tighten security after Hun Sen denounces the West

FROM TOM WALKER IN PHNOM PENH

WESTERN embassies are tightening their security arrangements and expatriates have been advised to stock food after Hun Sen, Cambodia's Prime Minister, stepped up his attacks on "foreign interference" in the affairs of his destitute country.

Speaking outside a military rehabilitation centre at the weekend, the former Communist repeated his threat of demonstrations against Western powers, defying calls for the release of Prince Norodom Sirivudh from jail. He also promised a new clampdown on press freedoms.

"I have called for a patriotic movement to protect the independent sovereignty of this country," he said in a rambling diatribe before 2,000 crippled soldiers, Buddhist monks and flag-waving children. "Let Khmer solve Khmer problems themselves."

Swinging from one extreme to another, Mr Hun Sen backtracked from threats he made last week — taped and verified — to storm embassy compounds, promising instead that any errant demonstrators would be shot. "If they disturb embassies," he said,

"please shoot on the spot. Embassies can be considered as independent land."

Far from reassuring diplomats, his remarks have served only to increase fears that he is taking Cambodia back down the path of isolation. "I waver on the question as to whether he is mad," said one official. Sources confirmed that agents have visited embassies to strengthen security. The Cambodia Daily, an English-language newspaper, last week reported briefings by

French and American organisations, and said expatriates had been warned to avoid crowds, stock food and to register at their embassies.

The paper's days may be numbered, as Mr Hun Sen singled out it and the Agence France-Presse news service for criticism. "The ministry has to immediately investigate those newspapers that publish against the truth," he said. "Why is it allowed to be based in Cambodia?"

Journalists caught "burning white to black", he said, faced punishment. "If there is a grenade explosion at the embassy, any who exaggerate the truth will be arrested." Turning to the two Western reporters present, from The Times and Australia's News Corporation, Mr Hun Sen demanded: "Those few pointed noses, what newspapers do they work for?"

Events this year, Mr Hun Sen's tenth in power, have shown his increasing discomfort with free speech. He has been linked with two grenade attacks — on a newspaper editor's house and a rally by his coalition's liberal Buddhist partners — and the sacking of

a newspaper office. Mr Hun Sen had uncannily given a warning of violence days before each event.

Apart from the local press, Mr Hun Sen has been rattled by international reports depicting him as a dictator in waiting. Journalists have focused on heroin trafficking, illegal logging, rampant prostitution and kickbacks from Malaysian developers.

Prince Sirivudh, a leading light in the royalist party that partners Mr Hun Sen's People's Party in the Government, was one of a handful of politicians trying to stop the rot.



Hun Sen: threat to arrest journalists

Rwanda tells aid agencies to leave

FROM SAM KILEY IN NAIROBI

RWANDA yesterday ordered 38 aid agencies running programmes worth millions of dollars to leave the country within a week and leave their vehicles and equipment behind. The move was seen as a protest against the slow prosecution of those responsible for the genocide of a million Rwandans last year.

The Rwandan Government, dominated by the Tutsi tribe, appears to have targeted French agencies in particular, because the French Government supported the previous regime with arms and ammunition up to, and during, the genocide committed by Paris's allies.

Agencies ordered to leave include Médecins sans Frontières (France), Action International Contre Le Faim (France), Terre des Hommes Suisse, Médecins du Monde and Care Australia. The expulsions of Médecins sans Frontières and Care are particularly puzzling because the two organisations have been strong supporters of the Rwandan Government's demands that Hutu extremists who planned the atrocities last year should be tried and punished, rather than receive international aid donations in their camps in Zaire and Tanzania.

Médecins sans Frontières France and Care Canada have refused to work inside the Hutu refugee camps in protest at intimidation of their workers and the rearming of the Hutus by French arms suppliers, which continued at least until last July, after a million Tutsis and Hutu moderates had been slaughtered in Rwanda.

Christine Umuntu, the Deputy Rehabilitation Minister, said that the expulsions were irreversible because the relief organisations had been given a year to register with the Government and had failed to comply. "All equipment destined for relief is supposed to remain in Rwanda, with local non-governmental organisations or with other government agencies," she said.

The Government, smarting at the slow response of donors in supplying it aid directly, has already ordered the 1,800 United Nations "blue helmets" stationed there to leave.

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Slapped cheek disease is a common childhood complaint

When ruddy cheeks are not healthy

IF A child whose complexion is normally pallid suddenly looks like a subject in a Mabel Lucy Atwell illustration, the cause may not be burgeoning good health but slapped cheek disease. Technically known as *Erythema infectiosum*, it is spread by a small round virus, Parvovirus B19, usually by coughs and sneezes but sometimes through transfusions.

The infection is normally caught in childhood and immunological tests on the blood of adults show that 60 per cent have had the disease. Although little known, slapped cheek disease is so common that it is also called Fifth Disease, as it is one of the five common infections of childhood.

The rash is fairly striking: the child, usually aged between two and 14, has bright red cheeks, just the type portrayed in Mabel Lucy Atwell's illustrations and in most late 19th-century child portraits. The rash may spread to the rest of the body a day or two after it has appeared on the cheek. There it appears as a fine blotchy rash — sometimes described as lacy — on the arms, legs and trunk but, unlike many other rashes, it only rarely involves the palms and soles.

The rash is also unusual in that for some months afterwards, sunlight, emotion, heat or fever will trigger a recurrence of the bright red cheeks. The disease is associated with a mild constitutional upset and usually a minimally raised temperature. The incubation period is four to 14 days and incidence of the disease is cyclical. For a couple of years it is seen only sporadically; thereafter for the next two years it usually occurs in epidemics.



DR THOMAS STUTTAFORD

A long review of Parvovirus B19 in the *British Medical Journal* emphasises that children who catch Parvovirus B19 have it easy. In adults it can cause very much more sinister troubles.

In adult infections, particularly if the patient is a woman, the virus can be a cause of acute arthritis. When submitting blood for analysis during the investigation of a case of joint pains, doctors rarely ask for immunological tests to disclose the presence of B19 infection. A recent study, also in the *BMJ*, showed that in 6.7 per cent of those in whom rheumatoid arthritis was suspected, the cause of the joint disease was Parvovirus B19.

In 90 per cent of patients with arthritis, the joint pains have disappeared within two months. In the others, it can be persistent and sometimes lasts for years. Other patients who catch B19 complain of numbness and tingling in their hands and feet, for it can be a cause of peripheral neuropathy.

SOME OTHER groups of adults are vulnerable to serious ill-effects if they catch B19.

As with the rubella (German measles) virus, so with the Parvovirus — both can cross the placenta and affect the unborn baby. About 10 per cent of foetuses in women who are infected by Parvovirus die as a result. Fortunately, if the baby survives, there is no evidence that it is any worse for the experience. Abortion is therefore not considered in these cases.

Patients who are immuno-compromised may develop severe anaemia and others who have some chronic form of anaemia may suffer a crisis during an infection.

The new way to stop your baby crying

Osteopathy is the new method of treating children for complaints from autism to crying. Julia Llewellyn Smith reports

RYAN, a blond three-year-old, is lying on his back, eyes closed in blissful peace. His mother sits beside him, holding his hand tightly. A woman sits behind him, massaging his head with light, almost imperceptible motions. Ryan is a regular visitor to the Osteopathic Centre for Children in London. He has severe cerebral palsy and on his first visit, aged 11 weeks, he was not expected to survive.

"When he was born he was officially dead and for a long time he was a very sick boy," explains his father. "His epilepsy was so severe that for a time he was having 100 fits a day."

Now Ryan's parents, who cannot be named because of a pending negligence suit, report that his progress has improved remarkably. "Before he was so drugged that he just lay there like a stuffed doll. Now it's like having a child. He's lively and demanding, he hasn't had a fit in 14 months and, although we were told he wouldn't feed, he's an excellent feeder," says his father. "We're talking now about sending him to school in the new year."

Once a week Ryan's family make a three-hour round trip to the OCC in Cavendish Square, stone's throw from Oxford Street. The OCC receives 20,000 visits a year from 6,000 children, whose complaints range from severe handicaps to autism, glue ear, colic, asthma and simple irritability. Adults have been consulting osteopaths for more than 30 years, and now it is becoming a popular way of treating babies and children too. Osteopaths believe that many illnesses begin when parts of the body's structure come out of alignment. With gentle manipulation, the balance can be restored and illness cured. Stuart Korth, the founder of



Lady Mancroft and the Hon Arthur and Georgia Mancroft with Stuart Korth

the OCC, has no hard data to support his claims, but is convinced that his treatments can revolutionise children's healthcare.

Mr Korth would like every baby to be checked by an osteopath immediately after birth. A baby goes through tremendous compressive forces during its journey down the uterine canal, and the 29 bones which make up the newborn skull can be pushed out of alignment, hindering the circulation of the "shock absorber" fluid, which bathes the brain and nerve centres. This can put pressure on parts of the brain and on the nerves which originate there and run to every part of the body. This, in turn, can lead to physical and nervous disorders in infancy such as eczema, bed

wetting and hyperactivity. The health potential for a lifetime needs to be enhanced," Mr Korth says. "Adults can be helped by osteopathy to a modest degree, but generally there is much less you can do. A fretful baby may have spinal curvature as a result of the birth process. If this is left untreated, he will have a digestive or nervous disorder in later life. A pubescent girl who falls heavily and locks her pelvis will have gynaecological problems when she is older."

Ryan had severe oxygen starvation at birth, but his nervous system is still developing and is highly malleable. By working on the spinal column and the skull, our manual technique helps to overcome the inertia in the parts of the system that have been damaged. It doesn't overcome the damage, but the system can function better."

The OCC, founded five years ago, is a charitable foundation, with parents being asked to make a minimum donation of £10 for each treatment. "A private practice in London would ask for about £50," says Mr Korth. "We turn away no one and always have a waiting list."

In the centre's communal consulting room babies are crying and toddlers crawling. One child is having its nappy changed. Jessica Barker, who is nearly three, is sitting on the floor studying *Thomas the Tank Engine*. A severe asthmatic, she had previously been admitted to hospital three times.

"Seeing the change over the last year is just incredible," says Jessica's mother, Victoria. "Before when she caught cold, it would inevitably go to her chest and she would end up taking Ventolin and steroids and staying in hospital for three or four days. Now she doesn't get into such an acute phase, she doesn't need drugs and she doesn't need to go to hospital. A quick visit here is all she needs. In time, I am absolutely convinced that this treatment will eradicate the asthma." Mr Korth explains that Jessica's breathing is being improved by manipulating the ribcage.

"I used to be very cynical, but at one point, I was at breaking point, totally exhausted," Victoria says. "Stuart put me on the couch and put his hands on my lower stomach. I felt this whirlwind as the tension and stress was lifted right out of the top of my head."

Anna Brown, two, visits the OCC once a fortnight for treatment of irritability. "She had a forceps delivery and I had quite a hard time," explains her mother, Julie. "If a long time elapses between visits she starts screaming, so now we try to catch it before it starts. After a visit here, she's a different child." Mr Korth claims that through gentle, mechanical movements Anna's compromised immune system can be improved and the lymphatics, fundamental to dealing with infection, strengthened.

It is difficult to find a doctor of conventional medicine who has anything to say against paediatric osteopathy. "I don't see any immediate objection," says Professor David Harvey of Queen Charlotte's and Chelsea hospitals. "What we want, as with all alternative and complementary medicine, is more research, both on the basis of the treatments and whether they work or not."

There is no regulatory body for osteopaths, although one should be established within the next year, but Mr Korth has not heard of any serious damage inflicted by an unqualified "therapist".

Despite the rave reviews, Mr Korth is anxious to stress that he is not offering a miracle cure. "There is a science to this. It is logical. It looks peculiar but it's not."

● The Osteopathic Centre for Children, 10 Cavendish Square, London W1 0171-495 1231



Cranial manipulation can "realign" the bones of a child's skull after the trauma of childbirth

Anglo-American research could ease joint pain

Anjana Ahuja reports on new hope for victims of arthritis

THE SUDDEN Siberian spell has deepened the misery for sufferers of rheumatoid arthritis, an inflammation of the joints which affects about one in 100 people. Although there is no cure there are many treatments, none ideal. Now two companies, one British and one American, have found a way to block the swelling which could offer better relief and, perhaps, a cure.

RA is the most severe form of arthritis. It is an autoimmune disorder, turning the immune system into the body's worst enemy. The body's defences attack healthy tissues, causing painful inflammation in finger, toe, ankle, knee and shoulder joints. This destructive process is triggered by an overproduction of tumour necrosis factor (TNF). This normally protective substance goes haywire, destroying the tissue in joints.

In broadly similar, but separate, research by Immunex, an American biotechnology company, and British Biotech in Oxford, TNF is inhibited. The American trials, conducted with the University of Alabama, showed that two thirds of patients injected with high doses of this inhibitor enjoyed pain relief. Swelling was reduced in 58 per cent of cases. Final clinical trials will begin next year and the company predicts a drug within two years.

TNF but also matrix metalloproteinase, thought to be responsible for breaking down joint tissue. The compound thus has the potential to stop the disease in its tracks. Success for Immunex and British Biotech would mean a significant improvement on existing treatments and therapies. Steroids used to be administered for pain relief but have obvious drawbacks. Non-steroidal anti-inflammatory drugs (NSAIDs) can cause peptic ulcers. Existing anti-rheumatic drugs can slow down the progress of the disease but none has shown the capability of stamping it out completely.

IRRITABLE BOWEL SYNDROME

The Central Middlesex Hospital NHS Trust has set up the IBS Appeal to fund a research programme to investigate the causes of Irritable Bowel Syndrome and to develop cures. As part of its fund raising activities, the Appeal publishes the quarterly IBS Bulletin. This reports on the progress of the research and provides advice on the management of various aspects of IBS.

In the Christmas issue, the researchers discuss:

- * over-eating and drinking,
- * foreign travel for IBS sufferers,
- * abdominal pain in IBS,
- * three case histories on how IBS pain has been successfully treated,
- * new treatment for the hypersensitive gut,
- * questions & answers and a review of a recent video on IBS.

An annual subscription to the IBS Bulletin is £12 including p&p. Alternatively, the Christmas issue only, due to be published by mid December, is £3.

Please send your cheque made payable to IBS Bulletin to: IBS Bulletin Subscription Dept (T12) Central Middlesex Hospital NHS Trust, 10 R.O. Box 18 East Sussex TN6 1ZY

The IBS Bulletin is published by the IBS Appeal, Registered Charity No. 290473

INSIDE SECTION 2
Glories of the hills: how the landscape of northern England will be transformed by a year of visual art commissions

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What Barbie tells us about ourselves

However embarrassed we are by Barbie, little girls like dolls and always will. So is there really any point in banning her from the Christmas stocking?

ON FRIDAY, the Editor of *The Times* gave not exactly a call to arms but rather to the barricades. Barbie should be banned. Death to Barbies everywhere.

The editorial was eloquent on the perniciousness of this iconic doll, with its sinister emphasis on the etiolated figure and its cramping insistence on an insidious and unrealistic model of feminine perfection. Why indeed should we want such a repellent creation to fall into the hands of our daughters?

The thing is, M'lud, it isn't quite like that. Those of us who have in our fierier and more militant youth fought against the sexist stereotyping and brainwashing we saw enshrined in those too-too pretty, pointy-bosomed, clothes-mad dolls, don't need persuading that Barbie is, to say the least, an undesirable influence. But it is not we, the parents, who foist these idealised and idolised bimbos on our children. There is a whole, terrifying freemasonry of little girls out there demanding Barbie dolls from parents who are appalled at the request and reluctant to accede to it.

Few people become parents without realising that there is



Doll-sized fashion victim: liberal-minded parents everywhere can only apologise in silence and wonder where they went wrong when their daughters discover Barbie

more to sex differences than mere conditioning. Perhaps this came as no surprise to earlier generations, whose idea of civilised society was that girls were girls and boys were boys, and that's how they should stay. But to those in their thirties and forties, it was an accepted tenet of their youth that sex roles were as defined by politics as by nature, if not, indeed, more.

But children have a way of confounding many of our deeper-seated beliefs: suddenly we have a girl who refuses ever to wear trousers, and insists not only on dresses, but that they be pink and with bows; or a boy who knows the names of cars before he can say his own and has a whole arsenal of imagined weapons. I cannot pronounce on the

innate differences between the sexes from first-hand, intimate observation of the full gender range — and would anyway not presume to. Although it is tempting to view one's own children as representative specimens, there is certainly more to character formation than the sex genes. That much is obvious. But those sex genes are not negligible either: they make their presence felt too much to be ignored.

So perhaps all of us react too strongly in the opposite direction. We feel ourselves impotent to stop the full force of nature, and begin to question why we should even try. I did not give my daughter a doll, and didn't want her to

be fed with all that girly stuff, but when she was given one for her first birthday she fell on it with such passion and rapture that I felt ashamed of my earlier churlishness. Now, as she approaches two, she is ferociously attached to any doll that comes her way. "My baby, my baby," she swoons. A miniature pram seems to be a universal early feminine object of desire. I look around at the daughters of all my friends, and see them behaving in exactly the same way.

None of my friends are

girlie types themselves: they mouth silent sorries to me as their daughters enthuse about the joys of Barbie and Cindy looking stricken and mournful at their renegade, letting-the-side-down offspring.

And so we tend, in the words of the old song, to swing like a pendulum do: we assure ourselves it is all in the genes: it is nature, not conditioning. But I wonder if we are not simply denying our influence in this. I don't say that a girl-child wanting a doll or a boy-child wanting a

fire engine are either good or bad things. Although, as long as we recognise what is going on, stereotype may — up to a point — have its uses. Bruno Bettelheim pointed out the importance of fairy-stories in *The Uses of Enchantment*, and it may be no less the case that certain toys, which we may find alarming in the way they reinforce gender-types, have an important role for children. It doesn't mean that they or we succumb long-term to the propaganda.

It is not that there are no differences, but maybe we are too quick sometimes to locate and recognise certain of them. Often it is our response, as parents, that makes them more salient, more fixed than they would be.

Perhaps it is the case, too,

that as the roles of the sexes have become less fixed in society we work out some of our confusion through our children. I notice particularly that women who have always made a point of ridiculing the old macho image of men tend to take a covert pleasure in the rowdy maleness of their sons, their delight not voiced but evident and encouraging all the same. Perhaps, too, those daughters in pink of nonsense, resolutely undecorated women are acting out their mothers' fantasies of an illicit alter-ego. If that seems to be putting it too strongly, I think it is nevertheless true that, even as we condemn it, we sometimes allow our children to express those parts we refuse to recognise in ourselves.

More bull than beef

AT THE weekend I was watching a rerun of *Educating Rita* on TV. At one stage, Julie Walters's Rita talks, as she lights up, about everyone packing up smoking because they're frightened of cancer. "Cowards," she sneers.

It seems to me that is exactly the attitude being taken towards those who have decided to give up beef: at best it's sissy, at worst a symptom of craven, self-obsessed hypochondria. But of course, the BSE issue is not about beef: it is 100 per cent pure, ground politics.

"Mad cow" disease, or its possible human counterpart, is what the crisis would appear to be about, but what it is really about is trust. Our disillusionment with politics, our growing cynical belief that politicians have their interests, not ours, at heart, that the Government is thigh-high in steaze is what motivates the anti-beef consumer. Those who are frightened to eat beef are scared because they no longer feel they can trust their Government.

True, the particular nature of this fear taps into a vulnerable spot. The growing pressure of vegetarianism and the post-religious euphoria on the great god, Nature, reinforce the anxiety about potentially infected meat. The seeds have already been sown to equate flesh with poison. Indeed, it was an act against nature to feed sheep's corpses to cows. But only in these times would there be such a consensus that this unnatural act deserved an almost biblical punishment.

It is strange, though. The Tories have always avowedly been the party of choice; but if we choose not to eat beef then suddenly choice is not so good after all. We are not exercising a right: we are subversively perpetuating a great wrong.

'I know what it is to throw out the garbage'

Former Ralph Lauren shirt salesman
Giles Coren catches up with
his old boss, the doyen of design



Giles Coren meets Ralph Lauren for the second time

The first time I met Ralph Lauren I was not allowed to talk to him. I was permitted to shake his hand, to say good morning, and then to go about my business. I was not allowed to initiate conversation. He had a lot of hands to shake. He was a very busy man.

And so was I. For nine hours a day, six days a week I folded shirts, plumed them, stacked them and sold them. In the Polo Ralph Lauren boutique in Paris. It was whispered that my lovingly tended shirt wall turned over \$2 million a year. But \$2 million represents only two thousandths of a per cent of Mr Lauren's \$4 billion dollar business. Enough for a handshake, not enough for a chat about the weather.

Ralph, as he is respectfully known, is a messianic figure in his stores. The history of his genius is a constant topic of conversation: "You know, Ralph not only introduced the wide tie in 1967, but he invented the pleated tie-knot

too." We were told what to wear for the day, so that no two salesmen would be dressed the same (down to socks and underpants, only the purest Polo is acceptable). His itinerary was choreographed like a papal walkabout.

On the famous morning, as his little shadow rounded the corner of the roughwear department (he stands only 5ft 6in to his cowboy boots), I turned from the plaid, zip-fronted, brushed canvas overshirt I had been pretending to fold for the past three hours, and shook his hand.

Thus, I was rather saddened

last Thursday, at a party given in his honour at the Royal Academy in London, when he did not wave across the room at me and come striding across to ask how I was. Perhaps he was distracted by Patsy Kensit. But I bet she never sold a shirt for him. Nor did Mariella Frostrup or Viscount Linley but they all got the big "Hello".

I probably looked too shabby, despite being clad in Polo head-to-toe. But then I always am, and have been ever since Paris. I have wardrobes full of the stuff — given to me as uniforms. I wash my car with \$100 sea island cotton

boxershorts, worn through at the crotch, and the cat sleeps on worn-out \$1,000 cashmere sweaters. But I do not have any other clothes, and the years have taken their toll on my Ralph wardrobe. Nursing a glass of champagne at the

Royal Academy, in my virgin merino wool Polo silhouette number 3 weekend jacket, and bottle green pants, I looked less congruous than Michael Foot at the Cenotaph. And I failed to talk to him again.

When I met him for an

interview after long preliminaries with press attachés, he recognised only my tie.

With his collection of sports cars and country homes, he is one of the few men who actually lives the life his customers dress for. It is a long way from his Jewish upbringing in the Bronx, as Ralph Lifshitz (yes, really),

"My life is very normal though," he insists. "I work hard all week, and I have a wife and children, and I know what it is to throw out the garbage. So I never feel out of touch with reality."

"I was always a cool guy, even back in the Bronx. Everyone was wearing leather jackets, but I used to wear tennis sweaters and chinos. I was an athlete and a regular guy — I wasn't gay. But I was an individual, and I had the confidence to wear what I

wanted to wear." In Lauren's own person rests his entire empire — the clothes, the lifestyle, the name, the tan — all is created in his own image, and to say too much about anything risks shattering a myth and a sales graph.

So, he will not be drawn on whether, as the son of a Russian Jewish emigré, he has any resentment for the establishment Wasps who inspired his clothes. "I would not want to be one of them," he admits. "I am glad I have worked for what I have, and earned the right to enjoy myself."

This is all part of the regular guy thing — the insistence that his clothes are "not about fashion, but about life". Even a brain tumour is grist to that particular mill. "It happened at the same time as I was on

the cover of *Time* — an incredible feat — and no one knew about it but me. Lying in the hospital, I realised that no matter how successful you are, you are always alone."

Everything is unreal. "I have lived through these unreal moments, through being applauded on the catwalk, and through thinking I was going to die, and through starting with nothing and building up a \$4 billion business. It is unreal at every level."

And unreality is exactly what I was selling in Paris. Every hacking jacket I sold to a man who had never seen a grouse, every pair of jodhpurs to a woman who had never touched a horse, and the jeans specially "antiqued" to look as if you lived on a ranch. Like Ralph, I was selling a life that didn't exist.

I told him, finally, about our little Paris rendezvous. A worried frown creased the billion-dollar tan. "Did you like me?" he asked. And for a moment, I actually believed he cared.

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ROLE OF HONOUR

Philip Lawrence's legacy is the way he ran his school

The stab wound which killed Philip Lawrence on Friday continues to exact its bitter toll. The Prime Minister was said yesterday to be "appalled and shocked" by the murder; he, Michael Howard and Gillian Shepherd are still considering ways of preventing a similar tragedy in the future. At Mr Lawrence's school, St George's Roman Catholic Comprehensive, Cardinal Basil Hume conducted Mass and told children that God would tell their murdered headmaster that he was a "good man". Pupils were guided through a "special programme" to help them to cope with the shock of grief.

Since Mr Lawrence's death all decent people have asked what can be done to stop such barbarity. As we said yesterday, there is clearly scope for some revision to the law governing the possession of knives. As in Scotland, the burden of proof ought to lie with the defendant to prove he was carrying a blade for legitimate reasons.

Necessary as it is, such regulation would not address the brutal street culture which led to the stabbing of this decent man. To say as much is not a counsel of despair. Mr Lawrence's work at St George's was proof of how much can be achieved by a committed leader who has a clear vision of his role. He confronted the group of older pupils who were running the school; he expelled those who were consistently antisocial; he told children that "there is a difference between right and wrong. There is no relativist position." The spirit of rigour and discipline he promoted helped to improve the school's examination results by 16 per cent this year. Although Mr Lawrence will be remembered for the dreadful manner of his death, his true memorial will be the honour of the school he moulded.

The decline of the stable nuclear family, of the old-fashioned neighbourhood and of the Church's parochial structure has imposed a heavy burden upon schools as civic institu-

tions where children are drilled in the basic values of citizenship. Sadly, this shift of responsibility began at the worst possible moment, when comprehensive schools were themselves embracing a progressive ideology completely unsuited to this social task. Too often in recent decades, children have been taught in the classroom that their own impulses are as valid as the moral framework that society tries to impose upon them. Basic concepts such as right, wrong, good and evil have been pushed to the margins of the curriculum.

There are encouraging signs that the tide is turning. There have always been excellent disciplinary heads such as Mr Lawrence. Now they are being actively encouraged by the delegation of power to schools and the increasing influence of parents. For many years, schools were branch offices of a town hall education system. Now they are once again becoming focuses of community loyalty, responsive to the needs of the people they serve and free to pursue special interests within the limits of the law. It is increasingly possible for ambitious heads to make a difference.

This is a daunting challenge. A head teacher cannot possibly be expected to fulfil the role of educator, priest, parent and policeman — although this is precisely what Mr Lawrence seems to have done. However successful he or she is in reforming a school and inculcating basic morality in its pupils, what happens outside its walls cannot be controlled from within: increasingly so, if the number of children permanently excluded continues to rise as it has in the last few years. With inspired leadership, schools can work wonders. But they cannot solve all the social problems of their communities. If the death of Mr Lawrence encourages local agencies of all kinds to confront this reality and co-operate accordingly, it will not have been entirely in vain.

SPIN WIMPS

Why not apply to communicate the Conservative message?

The Tories are in a spin. For years they were used to effortless superiority over Labour in the propaganda game; for at least the past 12 months they have been regularly bowled by their opponents. "Unfair!" they cry, "Not out!" The truth is that the other team has become more skilled at political googlies. Bleating in an unsporting manner will not help the Conservative Party one bit.

On Sunday Michael Heseltine managed to declare with a straight face that "the present standards of media manipulation have never been seen in this country before". They might not have been seen from the Labour Party for some time; they have often been delivered by the Conservatives, generally by Conservative spokesmen, both official and unofficial, who were proud of their party and prepared to spend time and money promoting its strengths.

All democratic parties need experts in putting their message across: it is nothing to be ashamed of. All democracies require independent journalists to clear a path through the propaganda that is produced: Britain has many such hardworking men and women. But all sides also need to keep their skills honed if they are to prosper. As Hugh Colver, the recently departed director of communications at Conservative Central Office, put it with brutal honesty: "We continue to manage to fall on banana skins and machinegun ourselves in the foot all too often," thereby aiming a few more rounds of ammunition at the party's toes.

Last week Central Office briefed *The Daily Telegraph* that Lord Mackay was set to attack the judiciary in a Guildhall speech. Since the dinner had already taken place, and the Lord Chancellor had restricted

himself to proposing the toast, this mix-up could hardly have been better for Labour. John Prescott duly jostled with Mr Heseltine over the issue yesterday. But what did the Deputy Prime Minister expect? To suggest, as he did, that Labour was behind the bad publicity for the incident seems — to purloin a phrase — to be a symptom of the advanced stages of paranoia. The story told itself, with no need for any opposition spin.

The Conservatives must somehow counter the deftness which Labour is displaying these days. Tony Blair immediately changed his speech on Friday to capitalise upon Central Office's mistake. Government ministers, frequently hampered by the demands of office, are leaden-footed in comparison. And their party is still without a communications director of the stature it requires.

Who, they lament, would be prepared to take such a job? Are not the skills of an alchemist needed to turn their base message into gold? The answer is no. The Government has much to its credit. It has lost the art of making the best of its achievements — and of reacting nimbly, rather than just brutally, to assaults from the other side.

To take over now at Smith Square, with the party at its nadir, ought to be the most attractive of propositions. Whoever runs its communications, the Tory party is likely to be more popular in a year's time than it is now, simply because of the political and economic cycles. Few now expect it to win the next election, however: so the new director of communications will hardly be blamed for its defeat. A prosperous future beckons, even for the man or woman who merely makes the result less bad. The party should be besieged by applicants.

SHOW TRIAL

The Peking regime is itself in the dock of history

The trial beginning today of Wei Jingsheng, China's leading dissident, looks like following a predictable course: at its conclusion the full weight of the Communist State is ready to be thrown against a man who has already spent 16 years in prison, and who is accused, alone and apparently without any outside help, of attempting to overthrow the Chinese State during his brief 20 months of liberty. The message of the trial and of the inevitable verdict is one of intimidation to other dissenters. The proceedings bear all the marks of a show trial in the classic Stalinist sense.

Behind the flimsy charges are the real concerns of China's divided and ailing leadership. Mr Wei's "crime" was that he mocked the icons of communism. He poured scorn on party propaganda, denounced the occupation of Tibet, revealed the misery that Mao's economic policy had inflicted on the countryside. In 1978 he gave a warning that Deng Xiaoping would one day become a dictator. And then, while serving his long sentence, he was brazen enough to write to Mr Deng and denounce him as a man "who will be laughed at and condemned by history".

Such lese-majesté is deeply wounding. Face, dignity and respect are values as important to the Communist leadership as they have always been in Oriental society. Ad hominem attacks smack of an insolence intolerable to most leaders, and particularly resented when they come from a man who should have been "one of us" — the son of a senior party official. The Chinese fear is that Mr Wei voices what millions dare not utter.

Sniggering will lead to disrespect, and disrespect to disobedience, the argument runs. Some comparison can be drawn with the Soviet disfigurement over dissidents. In both cases, criticism was regarded as a mortal danger to a brittle leadership: and China's leaders know only too well the fate of the Soviet system. Mr Wei, however, has never had the public standing of Sakharov. Kept in isolation while in prison and under surveillance night and day after his release, he has never been able to use his personal charisma to found a cohesive opposition.

Mr Wei's courage has attracted the admiration of the West, and this has added to the embarrassment of his dissent. It has also ensured that his trial will be followed with critical interest. That puts the Peking leadership in a dilemma. It is extremely loath to allow any semblance of concession to foreign pressure, and hardliners argue that to give human rights groups a locus in Chinese internal affairs is a recipe for disaster. Others, however, believe that Chinese foreign policy interests are better served if Peking opens the trial to outsiders and defiantly publicises its case against Mr Wei.

All factions will argue that China has little to fear from a guilty verdict: the United States has already shown itself reluctant to promote the priority of human rights, a stance that other Western nations have already reluctantly adopted. Western pressure might secure Mr Wei a reprieve from execution; but little better can be expected for this brave and bitterly persecuted man.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

'Moral relativism' and the murder of a head teacher

From Mr Nicolas Walter

Sir, William Rees-Mogg ("The headmaster's lesson for us all", December 11) is guilty of mere propaganda in blaming the death of Philip Lawrence on "moral relativism"; of dirty propaganda in linking murder with divorce, and of disgusting propaganda in blaming the ills of society on "the children of Freddie Ayer".

He may argue for his idea of right and wrong, but he may not allege that other people whose views happen to be different have no idea of right and wrong, and he should not sneer at a dead philosopher whose views on the subject were more reasonable and realistic than his own.

One form of moral relativism in this country is the pluralism and tolerance which enable members of all religions and none to play a full part in society — something which should be welcomed by William Rees-Mogg as well as "the children of Freddie Ayer". He is able to complain about and even vote against "no-fault" divorce; others are able to argue and vote the other way. This is democracy; he prefers aristocracy.

Perhaps he is right, and relativism has gone too far. But he is wrong to pretend it has gone so far that any serious person says there is no such thing as right and wrong.

Yours etc,
NICOLAS WALTER,
Rationalist Press Association,
88 Islington High Street, N1,
December 11.

From the Bishop of Worcester

Sir, Many will want to applaud Lord Rees-Mogg's words. Furthermore, the heroic faith of Frances Lawrence with her young family is deeply moving and a cordial for drooping spirits.

I regret, however, that Lord Rees-Mogg chooses this occasion to make charges of "moral relativism" against the Church of England bishops. These are inaccurate. It seems as if he did not hear all the debate on the Lord Chancellor's Family Law Bill. Perhaps I may be allowed to quote from my own speech: "We are letting down our children and thereby placing a time bomb under our society..."

I went on to say:

We as bishops stand four-square behind marriage and the family. They are within the order of God's creation and the basis of a stable and wholesome national life. We uphold the highest possible standard for marriage, but we are also pastors.

I went on to say that legislation cannot be merely for the elect but for those in need. "Those who are well have no need of a physician." This theme was repeated by the other bishops.

There was much more in my speech. Could Lord Rees-Mogg read his *Hansard* (November 30, cols 715-6) and perhaps say some words of good will towards the Church of England in tune with the season?

Yours sincerely,
PHILIP WORCESTER,
The Bishop's House,
Hartlebury Castle,
Kiddermister, Worcestershire,
December 11.

From Mr Guy Hordern, JP

Sir, The Bishop of Rochester (Crede, December 9) advances the interests of Church and State when he pertinently writes: "It is difficult to imagine the Church being content with a 'no-fault' divorce." His recognition of the cardinal importance of responsibility, justice and faith within marriage is most welcome.

The Christian understanding of marriage is derived from God's love for us within which our fault is forgiven through the sacrifice of Christ, who also gives us an eternal relationship with Himself unbroken by our death.

To seek to eliminate fault as a contributory reason for divorce (as the Family Law Bill proposes) will further distance the divorce laws from a Christian understanding of marriage. To condone, and even to advocate, the elimination of fault (as some bishops and a former archbishop did at the Bill's second reading on November 30) constitutes a serious failure by the established Church to ensure that vital legislation is based on foundational Christian truth.

Yours sincerely,
GUY HORDERN,
124 Gough Road, Birmingham,
December 11.

Costs against JPs

From Mr M. Meredith Hardy

Sir, On the question of the legal liabilities of magistrates (letters, December 4, 6), I remember that this problem came up in the late 1980s when I was a chairman of several appeal tribunals and an immigration adjudicator. My colleagues and I were very concerned about possible liability, for more likely alleged liability, for our judicial decisions, brought by disappointed or dissatisfied litigants. The mere costs of defending such actions could be a matter of great concern to the lawyers undertaking these public duties.

We were reassured by the Lord Chancellor's Department at the time that we could assume we had the same immunity as judges in general and there was no need for concern. We always assumed that this covered stipendiary magistrates as well.

It seems absurd that lay magistrates cannot count on such immunity. It must be in the public interest for them to do so. Everyone in the country owes a debt to these dedicated people who undertake to administer 95 per cent of the work of the criminal courts for no monetary reward. Even a few cases of awards of costs could have a serious effect on future recruitment of JPs.

Yours faithfully,
M. MEREDITH HARDY,
Radwell Mill,
Baldock, Hertfordshire,
December 7.

Drink-drive limits

From Mr Benjamin Frank

Sir, The Government has again rejected a call to reduce the alcohol limit for drivers (News in brief, December 5) on the basis that it believes people will simply ignore a lower or zero limit. The fact is that some people will drink to excess before driving regardless of any limit, while some responsible people are caught out trying to stay within the present one.

In the course of my duties as a police sergeant I have dealt with several people who genuinely believed they would be within the limit by having "only a couple" of drinks. I have a certain sympathy for them. Unfortunately in the case of drink, differences in physical make-up and the strength of drinks make it difficult to predict how much drink will keep them within the limit.

Notwithstanding this, it has been shown that just one drink significantly increases the chance of having an accident. The Government ought not to encourage motorists to gamble when the cost of losing is so high.

Yours faithfully,
B. FRANK,
28 Herriot Way,
Thirsk, North Yorkshire,
December 7.

Business letters, page 29

Letters should carry a daytime telephone number. They may be faxed to 0171-782-5046.

Rethinking investment in the arts

From the Chairman of the London Arts Board

Sir, Your leader on arts funding ("The right subsidy", December 7) is well taken. This board is grateful for the capital funds which flow from the National Lottery. Lottery rules have, however, created a paradox: riches for buildings while activity costs are squeezed beyond the limits of good business sense.

Valuable as your proposals are, it is premature to tinker with the lottery rules. The real need at this point is for a new look at the case for investing in the arts, not simply as part of the nation's intellectual and aesthetic life, but also as part of the enterprise economy. The lottery, important as it is, is but one source of this investment.

The case rests on three propositions. Investment in making the arts widely available is desirable. Such investment will be wasted unless the place of the arts in the national curriculum and discretionary student grants are

maintained. Similarly, investment in capital infrastructure will be pointless if investment in people and productive activity is run down.

The lottery rules should be considered as one part of a coherent philosophy for investment. Those responsible for policy should bear in mind the importance of the arts and arts institutions to the reputation and economy of the nation and the high degree of efficiency achieved by the arts in applying public money.

Arts bodies do not on the whole attract the hostile attention of the Public Accounts Committee. Would that the same could be said for immensely more costly projects and programmes elsewhere.

Yours,
CLIVE PRIESTLEY,
Chairman,
London Arts Board,
Elme House, 133 Long Acre,
Covent Garden, WC2,
December 7.

Older workers

From Mr Eric Reid

Sir, The Association of Retired People and Persons Over Fifty agrees with the sentiment expressed in your article, "Defusing the age bomb" (Law, December 5), that "much more needs to be done to reduce the injustice faced by older workers".

There is little doubt that severe skills shortages will occur as the "baby boom" passes its peak, which is why employers should be seeking ways to retain and re-train their senior workers rather than discarding them.

Recognising the effect on the economy of the "demographic time bomb", we are campaigning in Britain for a flexible decade of retirement between the ages of 60 and 70. We would welcome the introduction of appropriate legislation along the lines of the Age Discrimination in Employment Act

now in force in America. Unlike "voluntary" redundancy or "early retirement" (which, these days, can begin at 50 or even earlier in the UK) the US Act gives older workers the freedom to choose whether or not to continue to work — a choice which is increasingly being denied to our own workforce.

We have already elicited a commitment to age legislation from any future Labour government and hope that David Winnick's Private Member's Bill (scheduled for February 1996) proscribing age limits in job advertisements will find the support it deserves from MPs of every political persuasion.

Yours faithfully,
ERIC REID
(Vice Chairman),
The Association of Retired People and Persons Over Fifty,
Greencoat House,
Francis Street, SW1,
December 5.

Rail delays

From Mr Peter Burfoot

Sir, According to your report, "Thaw is bad news for queues of rail travellers" (December 8), passenger service operations "are expected to lodge large claims for compensation from Railtrack". Passengers, however, have no right to make corresponding claims against operators except under the provisions of the 1992 British Rail Passenger's Charter.

For example, six journeys made by me over the last three days were extended by an average of 42 minutes (an increase over the normal journey time of 82 per cent) because of cancellations and delays. Under the terms of the division on which I travel, however, the great personal inconvenience and loss of business time I suffered will only be compensated if, during the entire 12 months up to November 1, 1996, either more than 2 per cent of trains on this division have been cancelled or more than 20 per cent of

them have been classified as "late".

There is, therefore, ample opportunity on the part of the operators to run only a fair-weather service and even cancel trains to ensure that they are not late, or allow trains to run late instead of cancelling them (depending on what is required to maintain the two sets of statistics below the levels at which compensation is payable); and presumably pocket the compensation from Railtrack.

Let us hope that when the Charter is reviewed in the light of privatisation we will see the abolition of the exclusion clauses in the Passenger Conditions of Carriage and their replacement by a compensation code which is both instant and directly related to the cancellations and delays suffered by individual passengers on the particular journeys made by them, even if they are season-ticket holders.

Yours faithfully,
PETER BURFOOT,
64 Baker Street, W1,
December 8.

Labour policy on school standards

From the General Secretary of the National Association of Head Teachers

Sir, Both your leader and the article by Janet Daley today make a number of crucial points regarding the Labour Party's policy statement on standards in schools. I would add more.

Schools are run by governors and heads not by local education authorities. Indeed, it would be disastrous if we were to return to the pre-1988 position when LEAs last had real power. Accordingly, the effectiveness of Labour's policy will depend not upon local authorities but upon governors and heads.

The Labour Party appears to have a touching faith in the ability of local authorities to "deliver the goods" on standards, but I think it would be much better advised to rely upon those who are actually responsible for running schools.

It might be regarded as good politics to be seen to be tough on the teaching profession, but you are quite wrong to argue that teachers do not have the esteem accorded to nurses and ambulance workers. Your own recent MORI poll (report, November 24; letters, November 30) demonstrated that teachers were substantially ahead of most professions in the eyes of voters and lay third in the popularity stakes, behind the medical profession and the police.

Accordingly, exaggerated criticism of the teaching profession may rebound on those who think this will win them high marks in the political popularity stakes. The reality is that standards will only be raised by a positive approach to the teaching profession, not by unrealistic talk about getting rid of incompetent staff by short-circuiting existing procedures.

The sooner national politicians realise that they cannot control the education service in the way some would wish, and that they have to work in co-operation with the governors and heads of 25,000 schools, the sooner we will raise standards to the levels to which every sensible person in the education service aspires.

Yours faithfully,
DAVID HART, General Secretary,
National Association of Head Teachers,
1 Heath Square, Bolto Road,
Haywards Heath, West Sussex,
December 6.

From Mrs Sheila Faith

Sir, When I was a school governor in the North East of England during the 1970s I was dismayed by the Labour Party's addition to mixed-ability classes and teaching methods, which were designed to promote egalitarianism but seriously damaged children's education.

It has been very difficult to impose Conservative ideas on education while Labour local authorities, some of the teachers and the Labour Party itself were determined to continue with their doctrinaire approach.

In spite of fierce opposition from Labour, the Government has achieved a great deal in raising standards in schools. It must nevertheless be a great relief that the Opposition is now admitting the damage its ideology has done to education in the past.

Yours etc,
SHEILA FAITH
(Conservative MP for Belper, 1979-83),
11 Meriton House,
Oak Hill Park, Hampstead, NW3,
December 6.

Listing on demand

From Mr George Ferguson

Sir, I propose the "hit-listing" of buildings, by popular demand, for which grants should be available to encourage their demolition before the Heritage Secretary proposes their preservation (letters, November 15, 30).

Maybe this scheme could be run by the Secretary of State for Health.

Yours etc,
GEORGE FERGUSON,
Ferguson Mann (architects),
Royal Colonnade,
18 Great George Street, Bristol, Avon,
December 8.

Untimely hatched

From Mr Ken Woodford

Sir, An unseasonable arrival in our garden this Advent Sunday: a wild duck leading her nine newly hatched ducklings from their nest. Global warming or coming in from the cold?

Yours faithfully,
KEN WOODFORD,
Yonderwood, Orney Hill Farm,
Witney, Oxfordshire,
December 3.

Bird brained

From Mr Alan Millard

Sir, Is the profound brain specialisation which enables chickens to use each of their eyes for different purposes (report, December 9) similar to the human hearing mechanism which allows information to go in one ear and out the other?

Yours faithfully,
ALAN MILLARD,
8 Medina Court,
Marine Parade West,
Lee-on-the-Solent, Hampshire,
December 9.

OBITUARIES

LAVINIA DUCHESS OF NORFOLK

Lavinia Duchess of Norfolk, LG, CBE, Lord Lieutenant of West Sussex, 1975-90, and widow of the 16th Duke of Norfolk, died at Arundel Park on December 10 aged 79. She was born at Kingston Hall, Nottingham, on March 22, 1916.

LAVINIA Duchess of Norfolk had a unique role at the 1953 Coronation. She took the part of the Queen at the rehearsal in Westminster Abbey, cast by her husband, the late Duke of Norfolk, who as Earl Marshal was in command of the ceremonies. The 1953 Coronation was different from all others. It was the first to be televised and television was comparatively new.

The Duke, who had run a previous coronation as well as royal weddings and funerals since he was a young man in his twenties, did things with great aplomb. Nothing was left to chance. However, he was fearful of television, knowing that any mistake would be magnified by the cameras and seen by millions around the world. So he decided that everything must be exhaustively rehearsed. Stopwatches timed every move. Precision was paramount. And, because of this, his wife became involved.

She already had experience of a coronation. When the Queen's parents were crowned in 1937 the Duchess held the canopy over the Queen. And it was later that year that she married the Duke of Norfolk.

The story goes within the family that she had first seen him a year before in his role as Earl Marshal at the State Opening of Parliament and had said to a friend: "He's the man I want to marry." The marriage at Brompton Oratory, Knightsbridge, shortly after the Coronation caused much interest. She was Protestant; he was Roman Catholic and referred to as England's leading Roman Catholic layman — though in fact there is no such title.

The Duchess enjoyed standing in for the Queen. She had an impish sense of fun. During the rehearsal period a woman friend telephoned one day to ask her to the races. The Duchess replied with mock seriousness: "Not that day... I'm having my coronation again."

The rehearsals were heavy and solemn, lacking the interest of the real thing. The Duchess could see the funny side. At one rehearsal her husband became exasperated by the bishops and said in an aside, sufficiently loud to be overheard by the Archbishop of Canterbury: "If the bishops don't learn to walk in step we'll be here all night." During a break in proceedings the bishops slipped silently away to Westminster School for some practice — to return, according to the Duchess, "absolutely foot perfect".

The Duke was very fortunate in his wife. He could be gruff, taciturn, even dismissive. Her emollient touch with a charming smile was always there when needed. There was the incident at the

Investiture of Prince Charles as Prince of Wales at Caernarvon in 1969 with many politicians about. The Duke never liked politicians, feeling that they beat about the bush and sometimes never got to the point at all.

As everybody waited for the start of the ceremonies George Thomas, the Secretary of State for Wales, asked the Duke if he would like a cup of tea. "Never touch the stuff," came the reply. "Perhaps a drink?" ventured the Welsh Secretary. The Duke looked at his watch. "Wrong time of day." In a flash the Duchess was engaging those around her in conversations, telling the Welsh how enormously impressed she and her husband were by the arrangements.

At the age of 21 she became mistress of Arundel Castle, home of the Norfolks for over a thousand years. It looks like a fairy-tale castle on top of a hill, with turrets and towers and the town of Arundel curling round beneath the moat. The drawbridge and the battlements. When the Duchess first moved in, it had old-fashioned kitchens, long dark corridors and 150 rooms, some of which had not been entered for years.

As things turned out she was only to live there for some twenty years. In 1959 the Duke, with four daughters, decided that he was not going to have a son and heir, and that the castle, with the dukedom, would pass elsewhere in the family. He built a fine Georgian-style house overlooking a great sweep of Sussex some distance away and called it Arundel Park. It was intended as a house for his wife after his death and, in the meanwhile, the plan was to let it.

As soon as it was finished, the Duchess and her daughters moved in. They liked it. The Duke followed. However, for the next 15 years till his death he would leave Arundel Park every morning after breakfast, go to the castle where he was born, and spend the day, returning to his family before dinner. He used to tell friends: "To me, Arundel is the castle."

The Duchess had laughing eyes, beautiful, very thick wavy hair and she maintained her girlish figure right into her seventies. She was a good organiser and had the determination to achieve most things she set out to do.

It was not until she was 59 that she fully blossomed as a person. That year, 1975, she became Lord Lieutenant of West Sussex, the first woman to be one of Her Majesty's county representatives in England.

The scope of her commitments was enormous, and with only two years in the job she led the county appeal for the Queen's Silver Jubilee Trust, and astonished fellow Lords Lieutenant by getting the biggest collection of any county. She worked out her own plan of campaign. Her main target were the schools. Since her own children's schooldays she had always had a good touch with schoolmasters and schoolmistresses. Her commitments were appropriate and the result of



what they instantly recognised as solid homework. The children were out working like beavers on the collection.

She was born Lavinia Strutt at Kingston Hall, Nottingham, the home of her father, the 3rd Lord Belper. Her mother, the Hon. Eva Bruce, was a daughter of the 2nd Lord Aberdare. She was not close to her daughter as she grew up, but influenced her with her own dedication to public service.

The Struts were merchant princes, Derby spinners, who owed much of their fortune to a friendship and business association with the Arkwrights, founders and developers of the spinning frame that revolutionised the spinning industry. The original Lord Belper, like many others

after the Industrial Revolution, got his title thanks to a mix of business acumen and political patronage. In 1852 he entered the Cabinet as Chancellor of the Duchy of Lancaster.

Lavinia Strutt was educated at Abbots Hill, the independent girls' school in Hertfordshire; its fine buildings and spacious playing fields can be seen from the M25 motorway. Here her love of sports and a competitive urge giving her the will to win came to the fore. Hers was usually the rallying call in lacrosse matches and she played tennis for the school.

When she was six, her parents divorced and two years later her mother married Lord Dalmeny (he had earlier been

married to the Duke of Westminster's daughter, Lady Dorothy Grosvenor, the eldest son of the 5th Earl of Rosebery (the former Prime Minister).

Soon afterwards he succeeded to his father's title. In his new stepdaughter he had a sports person after his own heart. He captained Surrey at cricket and in 1952 became president of the MCC. He was also master of the Whaddon Chase Hunt, the most fashionable pack in the London area, and he inherited a racing dynasty that kept on winning, including the Derby in 1939 with Blue Peter.

As a teenager she was riding Lord Rosebery's big thoroughbred horses, leading the Whaddon Chase field of top doctors, lawyers and City men over the stout hedges and deep ditches of this closely-fenced Buckinghamshire country. She was exceptional on a horse. She could ride anything. Soon, and still in her teens, she was winning point-to-point races on her stepfather's horses with her distinctive racing colours, a big Mickey Mouse on her jersey. That brought trouble: the Walt Disney Corporation claimed copyright and Mickey Mouse had to go.

In the 1920s and the 1930s social life revolved round country house weekend parties. These were on a scale never seen before and never to be revived so fully after the Second World War. The quality of Lavinia Strutt's tennis made her a welcome house guest, especially in Scotland where she and Lord John Hope (later Minister of Works under Harold Macmillan and now Lord Glendevon) made a formidable mixed doubles pair. Both were later to play at Wimbledon, but not together.

After she married in 1937 both she and her husband devoted themselves to racing. They bred their own horses, had them trained in the castle stables and raced them. In more than 50 years they had only three trainers in a sport noted for its disagreements between owners and trainers. John Dunlop, there for 25 years, was the longest-serving. For the last few years the Duchess's daughter, Lady Herries, took over training her mother's horses.

The late Duke finally achieved a lifetime ambition when the home-bred Ragstone won the 1974 Gold Cup at Royal Ascot, a year before his death. (He was the Queen's representative there for many years.) The Duchess, after his death, was not put off breeding, as so many others were, by the invasion of Middle East owners and their horses costing millions of pounds.

Two of her best home-breds were Moon Madness, winner of the St Leger at Doncaster in 1986, and Sheriff's Star, who came home with the Coronation Cup at Epsom in 1989. But the big sensation was the bay, Celtic Swing, bred by her, the Duchess though no longer owned by her, and trained by Lady Herries. Unbeaten in top races in 1994, he was rated by the handicappers as the best two-year-old to race in England in the past 17 years, and

earlier this year won the French Derby.

The Duchess had what seemed an innate gift for targeting a particular horse to a particular race. Time after time she won races in this way that nobody expected her to win. Every Sunday there was a special ritual. She and her trainer would meet at her home, each horse and his progress would be fully discussed, and race entries made.

After the Duke of Norfolk's death in 1975 his widow developed and secured the future of the family's private cricket ground as a memorial to him. Since 1956 the Duke had invited the visiting overseas Test teams to have their opening match against his XI on this ground, modelled on The Oval, and founded by his father in 1895.

The tradition was continued by the Duchess with the visitors coming to play against her XI. And the Arundel Castle Cricket Foundation holds fresh hopes for the future. Its school has taught some 80,000 boys and girls from places with no facilities to play the game. They come in all weathers and enjoy the benefit of two 150,000 indoor practice sheds which John Paul Getty presented to the Duchess.

The extent of her official and charitable engagements was formidable, especially in her years as Lord Lieutenant of West Sussex, 1975-90. Most days after breakfast she would lead her dogs in the station wagon and get in beside her chauffeur. As they criss-crossed Sussex, or went to engagements further afield, *The Sporting Life* spread out on her lap, the two would discuss the day's racing down to the most unimportant of selling plates. She did 600 or 700 engagements a year. When she had finished with the Lord Lieutenantcy, she was actively engaged in almost one hundred charities at national and local level, some for more than thirty years.

In Sussex, people wondered if she ever took a holiday, although she did in fact like to go to the South of France for a summer holiday, and to play the tables at the casinos. Back home those with sharp eyes knew if she had won. She would return with a collection of splendid Parisian silk ties, which she gave to men who, as she put it, "gave time to West Sussex".

Those who contributed to West Sussex in any way were entertained at Arundel Park. Her husband, as head of the College of Arms, was the supreme arbiter on precedent for official functions, but she had her own way of doing things. She would sit on the floor and lay out her plan for dinner parties. Then a smile would cross her face as if she had found a winning move at chess. "These two don't exactly see eye to eye. I'm putting them together. They'll live up that end of the table," she would say.

In 1971 the Queen appointed her a CBE, and in 1990 a Lady Companion of the Garter, the first non-royal woman to be honoured in this way.

She is survived by her four daughters.

ROBIN GANDY

Robin Gandy, mathematician and logician, died on November 20 aged 76. He was born on September 22, 1919.

WITH a keenly original intellect which could pierce the complexities of mathematical logic, Robin Gandy provided a decisive influence on the post-war development of this field of study. He earned a national and international reputation for his work on both generalised and higher type recursion theory, seeking to develop a theory of computation on

infinite amounts, or types, of data.

His name was given to the Gandy Selection Operator, a theorem describing a theoretical mechanism for picking certain desired indices of higher type functions; the Gandy Theorem, on ascertaining when inductive definitions in a certain theory close up; and the Spector-Gandy Theorem which characterised certain sets of numbers defined in a higher order logic.

Gandy held a fellowship from 1969 onwards at Wolfson College, Oxford. Here, as both friend and mentor, he was to

influence a new generation of mathematical logicians. He also, alongside John Shepherdson, helped to establish in 1978 the British Logic Colloquium — a national association aiming at the furtherance and dissemination of research in logic — and was its founding president. In recent years his study was on ultrafinitism which, broadly speaking, is the idea that only a finite quantity of numbers may be necessary for mathematics.

A well-known figure at academic conferences, Gandy worked in many areas of

modern logic, often writing on philosophical issues. It was largely due to his influence that mathematical logic — a field in which he had started out almost alone — was developed into what it is today, a thriving area of study steadfastly established in the British Academy.

Robin Gandy was born in Peppard, Oxfordshire. He was educated at Abbotsholme and at King's College, Cambridge. After Part II of his Mathematical Tripos he joined the Army in the ranks, but was eventually commissioned into the Royal Electrical and Mechanical

Engineers as a radar specialist.

As an undergraduate he had met Alan Turing, well known for his contributions to the wartime code-breaking team. Turing's work on the foundations of the theory of computation in the 1930s had been seminal. He and Gandy were to meet up again in 1944 at Hanslope Park where Gandy had been sent to work on a speech decipherment system christened "Delilah" at Gandy's suggestion. A lasting friendship developed and Gandy was later to edit Turing's papers. He was at work on the fourth and last volume at the time of his death.

In 1946 Gandy returned to Cambridge to complete an optional third part of his Tripos and gained a Senior Optime in 1946. He stayed on there to write a thesis on the foundations of mathematical physics (1952), at the same time becoming a lecturer in applied mathematics at Leicester.

In 1956 Gandy moved to Leeds, and more firmly into logic, helping to create a mathematics and philosophy course there, before being recruited by Max Newman (who had also recruited Turing) to Manchester in 1957 to take a chair in mathematics. Under Gandy's professorship the study of logic developed and in 1969 Manchester hosted the annual meeting of the Association for Symbolic Logic. During his time at

Manchester, Gandy also published the series of papers in both generalised and higher type recursion theory which were to establish his name as a leader in his field.

In 1966 Wolfson College, Oxford, was founded, and three years later Gandy moved there to take up a university readership. Working alongside Michael Dummett, he helped to teach the newly established undergraduate degree in mathematics and philosophy. He inspired enormous interest from his students and research flourished. Whereas at Manchester he had tutored only three postgraduates, at Wolfson he found himself supervising almost thirty.

Gandy was renowned for his friendly guidance. "Make your thesis read more like a Dashiell Hammett novel," he used to say. He was a man who hated the pomposity and humbug so often prevalent in academe. A born raconteur with a commanding voice and a gently self-deprecating sense of humour, his parties held in his Wolfson penthouse were eagerly anticipated events. He was an excellent cook, especially renowned for his home-made ice-cream, and a diner was never complete without Gandy producing his snuff box and passing it round.

Gandy always organised the annual Guy Fawkes party for his college, and it was appropriate that on his retirement in 1986 Wolfson fitted him with a dinner and a magnificent fireworks display. His mathematical colleagues from around the world, and



most of his students, honoured him with a special conference at Gargny, Powys. Robin Gandy was unmarried.

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ON THIS DAY
December 12, 1885
The illustrator of this edition of Charles Kingsley's popular fairy tale was Linley Sambourne (1844-1910). He was a contributor to Punch for over 40 years and succeeded Sir John Tenniel as cartoonist-in-chief.

THE WATER BABIES: ILLUSTRATED.
This new edition of Charles Kingsley's famous fairy tale is likely to stand high in the favour of those who care for illustrated books, for it contains a hundred examples of the talent of one of the most inventive of our artists, Mr. Linley Sambourne. The wonder is that we have not had a fully illustrated edition of "The Water Babies" before. Sir Noel Paton's two charming plates in the original volume were an indication, and not more than an indication, of what might be done. Every page of Kingsley's story contains situations in which a sympathetic artist would revel; for whether the story is successful or not as an artistic whole, it is beyond all doubt rich in fanciful detail. Kingsley was not a man of science but he had an extraordinary gift of observation and something of the true poetic fire. He loved "bird and beast" — especially bird and beast — and he knew enough of the strange creatures that dwell in the streams and the sea to make their life seem curiously real as he described it. Besides the human scenes of "The Water Babies," the scenes of stream-life in Vendale, of river-life in the broad Northumbrian estuary and of sea-life wherever Tom's last destiny carried him, are brimful of materials for an artist who, like Mr. Sambourne, is a naturalist as well.

Mr. Sambourne has been steadily making way in the public estimation ever since he began to draw for Punch, now several years ago. His talent is like that of no one else. As a political and social caricaturist he resembles neither Leech nor Tenniel, and he has nothing in common with the slighter though very admirable artists of past generations, such as "H.B." and Gillray. He combines the most curious power of grotesque invention with an equal power of seizing a likeness; and over and above these gifts he has those of a first-rate draughtsman. All this is aided by his knowledge of the habits and forms of living creatures of all sorts, especially of sea creatures; so that in his caricatures we often find ourselves transported from Westminster to "the deep's untrampled floor," or to the regions which nothing more human has ever visited than the dredging-tackle of the Challenger. It need not be said that in illustrating "The Water-Babies" Mr. Sambourne has found himself very much at home. Tom's adventures with the big brown trout, or with the lobster, suit him perfectly; he is excellent with the group of eels that are starting for the sea, and the foolish sun-fish that has lost its way finds in him a portrait painter equal to the representation of utter fatuity. His single human figures are capital too: such as Mr. Grimes imprisoned in the chimney, little Ellie, and, best of all, Professors Huxley and Owen examining a bottled water-baby. We could have wished that he had not ignored some of the delightful scenes which follow upon Tom's discovery of his water kindred; but perhaps Mr. Sambourne wished to avoid direct competition with Sir Noel Paton. Altogether, the volume can be recommended as something more than a "Christmas book" of exceptional value. "The Water-Babies: A Fairy Tale for a Land-Baby," by Charles Kingsley. New edition, with 100 illustrations by Linley Sambourne. Macmillan and Co. 1885.

Manager of the month employs waiting tactics to scoop the £500 prize for November

Perseverance pays as Pav T turns its season around

The fates in football can be fickle. The great football brains plot and scheme and lay their plans for a season of success, but a duff decision by the referee, a dodgy tackle, a defender caught day-dreaming and you are a goal down and on the brink of waving goodbye to another three points in the Premiership.

Mr Thiruchelvarajah knows the tricks the fates can play. He selected his Interactive Team Football (ITF) team at the start of the season then sat back to watch them perform. Rather than get involved in the hurly-burly of the transfer market, he stuck with his side as they struggled through the opening couple of months. It was a good team, but not a great team; hardly championship contenders but never relegation candidates for all that.

And then came November. Suddenly his players — originally named "Pav T" — began to turn it around. His selections were doing better and the teams they played for were quietly notching up good results in the Premiership. The points started to flood in. Through November he amassed 84 points and with them won the manager of the month award and its £500 winner's cheque.

At last his faith in Neville Southall (Everton), Denis Irwin (Manchester United), Sol Campbell (Tottenham Hotspur), Eriq Zola (Chelsea), Keith Curle (Manchester City), David Howells (Tottenham Hotspur), Andrei Kanchelskis (Everton), Nicky Summerbee (Manchester City), Peter Beardsley (Newcastle), Peter Ndlovu (Coventry City) and Alex Ferguson (Manchester United) had paid off.

At the start of the season, Manchester City were not so much wavering as drowning at the bottom of the table, but their future looks a lot brighter with a few wins under their belt. Spurs, too, although not in the same dire straits as City, were hardly looking like title winners in the early stages but now they sit in fifth



IN ASSOCIATION WITH



place in the Premiership. As for Newcastle, it was November last year when their campaign fell apart, but this year they seemed unbeatable.

However, November's successes are now only history. On Saturday, Mr Thiruchelvarajah's team managed a miserly 11 points thanks to Manchester City being hammered by Middlesbrough, Manchester United drawing with Sheffield Wednesday, Newcastle losing to Chelsea and Everton not playing.

The only ray of hope came from Ndlovu scoring in Coventry's 5-0 thrashing of Blackburn. Maybe Mr Thiruchelvarajah knows something we do not and maybe Coventry will carry Pav T up the table into the New Year.

If your team could be doing better, with your players lacking form and fitness, you can move into the transfer market to improve your fortunes. ITF has a transfer system which allows you to change up to two players each week. Which players you want to change are up to you, although you must replace the outgoing player with one from the same category (ie, a full back with a full back) and keep within your £35 million budget.

The ITF transfer system also allows you to adjust your team if one of your players is actually transferred out of the FA Carling Premiership. He would then no longer be eligible for ITF and would have to be replaced. Any overseas or Endsleigh Insurance League players who move into the Premiership during the season will become available for transfer.

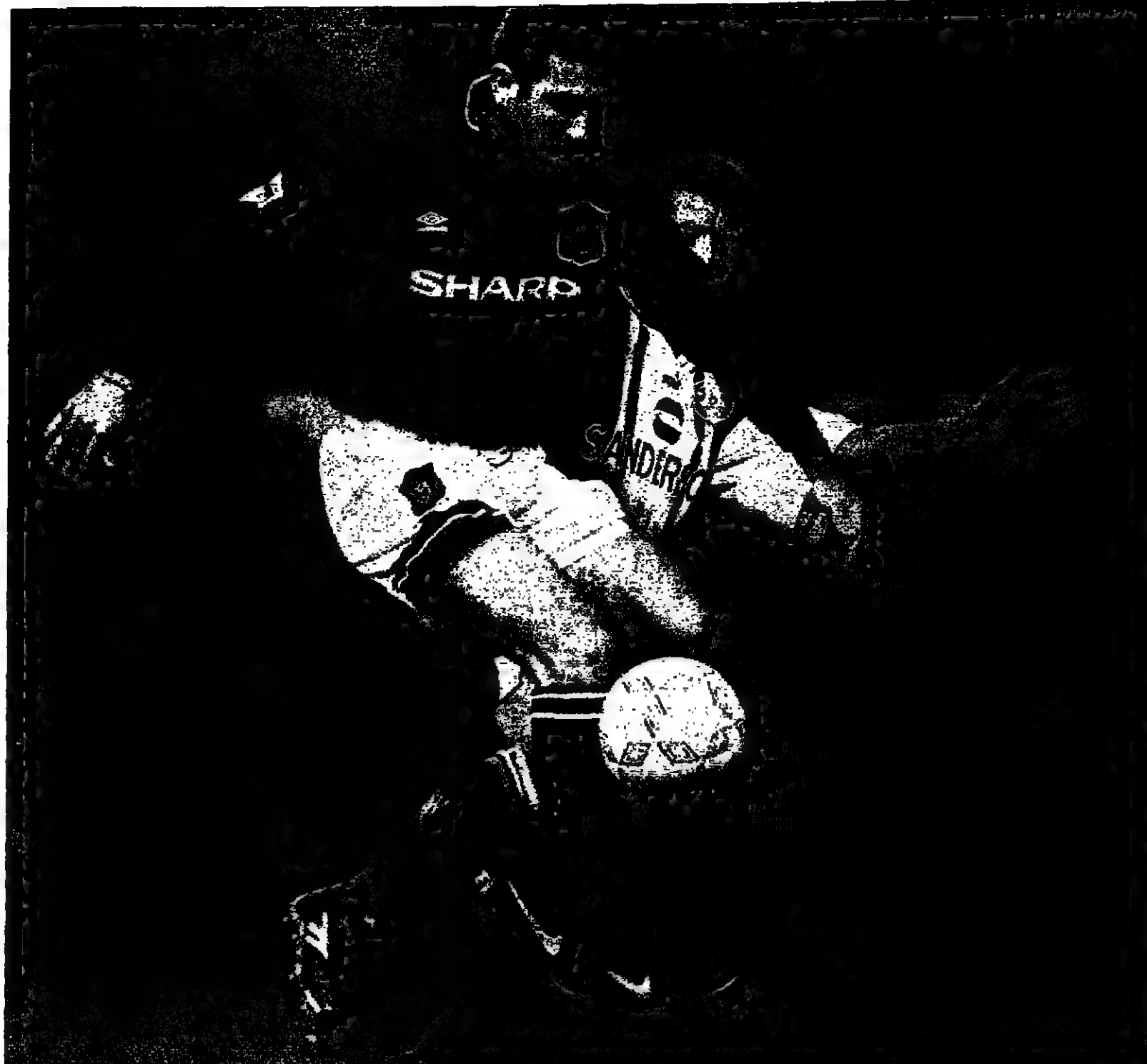
You can make transfers only by telephone. Using a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone), call the 0891 333 331 line during the times given. Calls will be charged at 39 pence per minute cheap rate, 49 pence per minute at other times. If you are calling from the Republic of Ireland, you must call 004 499 020 0631 and you will be charged at 58p per minute.

If you are lagging behind the leading team selectors, the transfer system will be an appealing option to you in the chase for the £500 prize or the monthly £500 prizes.

With ITF, not only are you pitting your selectorial skills against other readers of *The Times*, you are also matching your wits against those in the know. Premiership players have entered sides of their own, and Steve Ogrizovic, of Coventry City, gives his selection on the opposite page. Like him, you may spend £8 million on Matthew Le Tissier — but will he do better than cheaper alternatives?

All matches in the Premiership and those in the FA Cup involving Premiership clubs count and your players and manager win and lose your points. With KBT Ltd setting the early season pace, it is time for you to delve into the transfer market?

□ All transfer queries regarding Interactive Team Football should be directed to 0171 757 7016, while all other inquiries can be made on 01532 488 122.



Eric Cantona's two goals for Manchester United on Saturday gave sign of more to come. Is it time to purchase him for your ITF team?

HOW THE SCORING SYSTEM WORKS IN ITF

All FA Carling Premiership and FA Cup matches in the 1995-96 season count for points. Every goal and penalty counts.

POINTS SCORED		POINTS DEDUCTED	
Goalkeeper	4pts	Goalkeeper	1pt
Score goal	3pts	Conceded goal	2pts
Full back/central defender	3pts	Conceded penalty	1pt
Score goal	3pts	Missed penalty	1pt
Midfield player	3pts	Conceded own goal	1pt
Score goal	1pt	Manager	1pt
Score goal	2pts	Team losses	1pt
Striker	2pts		
All players	1pt		
Team wins	3pts		
Team draws	1pt		

* Must have played for 75 minutes in the match
† Must have played for 45 minutes in the match

HOW TO MAKE A TRANSFER IN ITF

Call 0891 333 331

* Calls cost (per minute) 39p cheap rate, 49p other times. Rep. 58p

If calling from the Republic of Ireland, call 004 499 020 0631

You can make transfers only by telephone using a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone). You will need your five-digit selector's PIN, which must be typed in and not spoken. Follow the simple instructions and use the players five-digit codes.

The line is open from 9pm on Tuesday until 1pm on Wednesday; from 8pm on Thursday 1pm on Sunday and from 8pm on Sunday until 3pm on Monday. If there is a weekend match, the line will also close at 3pm on the day of the match (or matches) and re-open the following day at 8pm.

You may make up to (but no more than) two transfers a week. Each transfer is a separate transaction and you must call a player before you can buy one.

A player transferred out of your team must be replaced by a player from the same category for example a full back for a full back.

When purchasing a player you must ensure that the team value still falls within your £35 million budget (even if your next transfer would result in an overspend) and does not contain more than two individuals (two players or one player and a manager) from the same club.

Your new player only starts to score points for you when his transfer is registered. The score of the player transferred out is taken at the time of transfer; he then ceases to score for you.

THE WEEK'S TRANSFER DETAILS				
OUT				
Code	Player	Club	Value	
41605	L. Jenkinson	Coventry	£0.75m	
CHANGE				
Player	Old Club (Code)	New Club (Code)	Value	
S. Sellers	Newcastle (40608)	Bolton (42008)	£2.5m	

THE LEADING 250 SELECTORS IN INTERACTIVE TEAM FOOTBALL

1 Kevin Kickers	283	182 Alan Sugars Huge Ego	256
2 Tommy Cockles XI	280	183 Blackhearts	256
3 Steve Lions 5	280	184 Severn Legal	256
4 Gohills Gods 66	280	185 (E. Scott)	256
5 Twilight United	280	186 View North	256
6 Steve Lions 7	281	187 Bill And Ben United	256
7 They're Here	281	188 Alstars	256
8 Teddy Five	281	189 Partizan Beograd I	256
9 Rosies Supers	281	190 The McLennans	256
10 Gary Pearce	281	191 Al Joudi	256
11 Al's Alstars	281	192 Chris's Miracles	256
12 Tyes Blue Noses	281	193 Alstars XI	256
13 Jones Boys Six	281	194 Being Boing Buggy	256
14 Nigel's Flight Foot	281	195 Poundswick Pupils	256
15 M1 Blues	281	196 O'Connell's	256
16 Jessicas Darlings 4	281	197 M1 Rovers	256
17 Barnett FC	281	198 Whitley Wanderers	256
18 Jaynes Jugs	281	199 The Good Bad & Ugly	256
19 Harrington Inter	281	200 OK United	256
20 London's Longshots	281	201 Robs Redhot Rovers	256
21 Ammanah	281	202 Turners Earners 2	256
22 OHME	281	203 The Specialists	256
23 My Cat Bailey	281	204 County Pine A	256
24 The Young Guns	281	205 Gujhar Khan United	256
25 Transporter	281	206 Neil's Mobsters	256
26 Whitley Wanderers	281	207 St Remy Strikers	256
27 Mirveta FC	281	208 Lappa Geckhorns	256
28 Fomby Flyers	281	209 Dylwynn's Mail	256
29 Madrid Knights	281	210 Orbital Rushes	256
30 Steve Lions 8	281	211 Who Needs Mark	256
31 Miss United	281	212 Jones Boys Four	256
32 Jesmond 1860	281	213 (S. Jones)	256
33 Sunderland Stars	281	214 The United	256
34 Lesponia	281	215 (D. Stuart)	256
35 Partisans	281	216 Tiggers Two	256
36 Steve Lions 6	281	217 Highbury Utd	256
37 Barnwell United	281	218 Choppers Eleven	256
38 The Conjurors	281	219 Heils Angels	256
39 Roadside Rangers	281	220 Wansboro Stars	256
40 KP Fantasy Team 4	281	221 Nobility One	256
41 Goal Diggers	281	222 G Force	256
42 Phychic TV	281	223 Garden FC	256
43 Jacobus FC	281	224 50K Pickup	256
44 Forglas Fury	281	225 Lastonville City	256
45 Steve Lions 2	281	226 Inter Red Dragon	256
46 Glow In The Dark	281	227 Windows Flyers	256
47 Phycos And Smiths	281	228 The Rising Storm	256
48 Percy's Progress	281	229 Keeganandwrong	256
49 No Fear Utd	281	230 Co's Dett Team	256
50 Beardsleys Hair	281	231 JSJ 16	256
51 Steve Lions 1	281	232 Real Paboz FC	256
52 Grove Rovers	281	233 Spud Utd	256
53 The Cake Eaters	281	234 Russell 1	256
54 Wallace Wanderers	281	235 Fantasy Formbook	256
55 Barnett Buy Cole	281	236 Formen's Finest	256
56 Razor's Raiders	281	237 Clares Ducks	256
57 The UK Beavers	281	238 Willington United	256
58 Francis Caldwell FC	281	239 Slidown Rovers	256
59 Netbusters	281	240 Aller Park Rovers FC	256
60 Brookborough	281	241 Taylor Codels	256
61 The Black Knights	281	242 Betty Reserves	256
62 Fair Fair Flagship	281	243 Mo's Magic XI	256
63 Mercer's Man	281	244 Akintamaroff FC	256
64 Belfast Rangers	281	245 Sack A Ferguson	256
65 Mean Machine	281	246 Ayresome Rangers	256
66 Richies Rovers	281	247 Clarks Kicks	256
67 Nickies Bears	281	248 The Masked Turnips	256
68 Incaita	281		
69 Mike's Dream Team	281		

هكذا من الأصل

The players' overall and weekly scores and their values if you are considering the transfer option

Code	Name	Team	Em	Pts	Wk	OV
10101	T Flowers	Blackburn Rovers	5.00	-9	-23	
10102	B Williams	Blackburn Rovers	1.00	0	-1	
10201	P Scimone	Manchester United	5.00	0	+6	
10202	M Crossley	Nottingham Forest	2.50	-1	-18	
10302	T Wright	Nottingham Forest	1.00	0	0	
10401	D James	Liverpool	3.50	+5	+14	
10402	A Warner	Liverpool	0.25	0	0	
10501	J Lukic	Leeds United	3.00	-1	0	
10502	M Beoney	Leeds United	0.75	0	0	
10601	P Smolick	Newcastle United	3.00	-1	-1	
10602	M Hooper	Newcastle United	1.00	0	0	
10603	S Hlop	Newcastle United	3.00	0	+4	
10701	I Walker	Tottenham Hotspur	2.50	+5	-2	
10702	E Thorntwaite	Tottenham Hotspur	1.00	0	0	
10801	A Roberts	Queens Park Rangers	1.50	0	-7	
10802	S Dykstra	Queens Park Rangers	1.00	0	0	
10803	J Sommer	Queens Park Rangers	1.00	0	0	
10901	H Segers	Wimbledon	1.50	-1	-18	
10902	N Sullivan	Wimbledon	0.75	0	0	
10903	P Heald	Wimbledon	1.50	-1	-36	
11001	B Grobbelaar	Southampton	1.50	0	0	
11002	D Beasant	Southampton	0.75	+5	-11	
11101	D Kharina	Chelsea	2.50	+5	+12	
11102	K Hitchcock	Chelsea	1.00	0	0	
11201	D Seaman	Arsenal	5.00	+5	+31	
11202	V Bartram	Arsenal	0.50	0	0	
11301	K Pressman	Sheffield Wednesday	2.50	-8	-17	
11302	C Woods	Sheffield Wednesday	2.50	0	0	
11401	L Mikosko	West Ham United	2.50	0	-1	
11402	L Sealey	West Ham United	0.50	0	0	
11501	N Southall	Everton	2.50	0	+2	
11502	J Kearon	Everton	0.75	0	0	
11601	S Ogrizovic	Coventry City	1.50	-2	-15	
11602	J Gould	Coventry City	0.75	0	0	
11603	J Pilon	Coventry City	1.50	0	-28	
11701	A Cotton	Manchester City	2.50	0	0	
11702	A Dillie	Manchester City	2.50	0	0	
11703	E Innes	Manchester City	2.50	-7	-11	
11801	M Boatle	Aston Villa	2.50	+1	+15	
11802	N Spink	Aston Villa	1.00	0	0	
11901	A Miller	Middlesbrough	2.00	0	+3	
11902	G Walsh	Middlesbrough	0.75	-1	+19	
12001	K Branagan	Bolton Wanderers	0.50	-1	-43	
12002	A Davidson	Bolton Wanderers	0.50	0	0	

Code	Name	Team	Em	Pts	Wk	OV
20101	H Berg	Blackburn Rovers	3.50	-4	-1	
20102	G Le Saux	Blackburn Rovers	4.50	-4	-2	
20103	J Kenna	Blackburn Rovers	3.50	0	+8	
20201	D Irwin	Manchester United	4.50	0	+12	
20202	P Parker	Manchester United	2.50	0	+6	
20203	G Neville	Manchester United	2.50	-1	0	
20204	P Neville	Manchester United	0.75	-1	+4	
20301	S Pearce	Nottingham Forest	4.50	0	+8	
20302	D Lytle	Nottingham Forest	3.00	0	+5	
20303	A Haslam	Nottingham Forest	1.00	-1	-9	
20401	R Jones	Liverpool	3.00	+4	+20	
20402	S Bjornby	Liverpool	3.00	+4	+4	
20403	S Hartness	Liverpool	0.75	+3	+22	
20501	T Dorog	Leeds United	3.50	0	+9	
20502	G Kelly	Leeds United	3.00	0	+8	
20503	N Worthington	Leeds United	1.50	0	-1	
20601	J Bernadine	Newcastle United	3.00	0	+17	
20602	M Hoddge	Newcastle United	3.00	0	0	
20603	W Barton	Newcastle United	3.00	0	+18	
20701	D Austin	Tottenham Hotspur	2.50	0	+4	
20702	J Edinburgh	Tottenham Hotspur	1.50	0	-3	
20703	S Campbell	Tottenham Hotspur	1.50	+4	+14	
20704	D Kerlake	Tottenham Hotspur	1.00	0	0	
20705	C Wilson	Tottenham Hotspur	2.50	+4	0	
20801	D Bardeley	Queens Park Rangers	2.00	0	-5	
20802	R Brewett	Queens Park Rangers	1.50	0	-4	
20803	N Zelic	Queens Park Rangers	2.50	0	-3	
20901	A Kimble	Wimbledon	2.50	0	-2	
20902	G Elkins	Wimbledon	1.50	0	-8	
20903	K Cunningham	Wimbledon	1.50	0	-11	
20904	R Joseph	Wimbledon	0.75	0	0	
21001	J Dodd	Southampton	1.50	+4	+10	
21002	F Bonell	Southampton	1.00	+4	+8	
21003	S Charlton	Southampton	1.00	+4	+4	
21101	S Charles	Chelsea	1.50	0	+3	
21102	S Minto	Chelsea	1.50	0	+3	
21103	G Hall	Chelsea	0.50	0	+9	
21104	A Myers	Chelsea	0.50	+4	+13	
21105	T Phelan	Chelsea	1.50	+4	-1	
21106	D Petruscu	Chelsea	2.50	+7	+11	
21201	L Dixon	Arsenal	3.00	+4	+28	
21202	N Winterburn	Arsenal	3.00	+3	+31	
21203	S Morrow	Arsenal	1.50	0	0	
21301	I Nolan	Sheffield Wednesday	2.50	-3	+5	
21302	P Altherton	Sheffield Wednesday	2.50	-4	-2	
21401	J Dicks	West Ham United	3.50	0	+3	
21402	T Breacker	West Ham United	3.00	0	+5	
21403	K Brown	West Ham United	0.75	0	0	
21404	K Rowland	West Ham United	0.75	0	-10	
21501	G Abbott	Everton	2.50	0	+10	
21502	E Barrett	Everton	2.50	0	+4	
21503	M Jackson	Everton	1.50	0	+10	
21601	P Holmes	Everton	0.50	0	-2	
21602	D Burrows	Coventry City	1.50	0	0	
21603	A Pickering	Coventry City	1.00	0	-3	
21604	S Morgan	Coventry City	0.75	0	0	
21701	R Edgill	Manchester City	1.50	0	-1	
21702	D Brightwell	Manchester City	0.75	0	0	
21703	J Foster	Manchester City	0.75	0	-1	
21801	B Charles	Aston Villa	2.50	0	+22	
21802	S Staunton	Aston Villa	4.50	0	+3	
21803	A Wright	Aston Villa	2.50	0	+22	
21804	P King	Aston Villa	0.50	0	0	
21805	B Small	Aston Villa	0.50	0	0	
21901	C Blackmore	Middlesbrough	1.00	0	+26	
21902	N Cox	Middlesbrough	1.00	0	+24	
21903	C Morris	Middlesbrough	0.75	0	+24	
21904	C Fleming	Middlesbrough	0.50	0	0	
22001	G Bergsson	Bolton Wanderers	0.50	0	-13	
22002	S Green	Bolton Wanderers	0.25	0	-11	
22003	J Phillips	Bolton Wanderers	0.75	0	-14	
22004	A Todd	Bolton Wanderers	0.75	0	-2	
22005	S McAnaspie	Bolton Wanderers	0.50	0	-1	

Code	Name	Team	Em	Pts	Wk	OV
30101	C Hendry	Blackburn Rovers	4.50	0	+9	
30102	I Pearce	Blackburn Rovers	3.50	0	+3	
30103	N Marker	Blackburn Rovers	0.75	0	0	
30104	A Reed	Blackburn Rovers	4.50	-2	+13	
30201	S Bruno	Manchester United	4.50	0	+17	
30202	G Pallister	Manchester United	1.50	-1	-1	
30203	D May	Nottingham Forest	3.50	-1	-12	
30301	C Cooper	Nottingham Forest	3.00	0	0	
30302	S Chellie	Liverpool	3.00	0	+17	
30401	N Ruddock	Liverpool	3.50	0	+21	
30402	J Steele	Liverpool	3.50	+4	+1	
30403	M Wright	Liverpool	1.00	+4	+20	
30404	D Matteo	Liverpool	0.75	0	+4	
30501	D Wetherall	Leeds United	3.50	-1	+13	
30502	C Palmer	Leeds United	3.00	0	+11	
30503	J Pemberton	Leeds United	1.50	0	-1	
30504	P Beesley	Leeds United	1.00	0	+1	
30505	R Johnson	Leeds United	1.50	+3	+5	
30601	P Albert	Newcastle United	4.00	0	+9	
30602	S Howey	Newcastle United	3.00	-1	+18	
30603	D Peacock	Newcastle United	3.00	-1	+15	
30701	G Mabbitt	Tottenham Hotspur	2.50	+4	+10	
30702	C Calderwood	Tottenham Hotspur	2.50	+4	+9	
30703	S Nethercott	Tottenham Hotspur	0.75	0	-1	
30704	K Scott	Tottenham Hotspur	0.75	0	0	
30705	J Cundy	Tottenham Hotspur	0.50	0	0	



Ogrizovic is mean when it comes to conceding goals but generous at dispensing advice to other Coventry players

Planning for the future

I WAS hoping that my team would be doing well. It would look quite good on my CV when I am looking for a job after I stop playing, see, I spent millions and I achieved this. But, looking at the way my team is performing at the moment, I do not think there are going to be too many chairmen calling me up with offers. At this rate, when I retire they are going to have to shoot me like they do horses.

As the Professional Footballers' Association (PFA) representative at Coventry I got a group of the lads to enter at the start of the season. It was all a bit of fun and, to be honest, once the teams were picked, that was it. I actually thought I had selected Les Ferdinand, but I had not and that was a mistake. As a result, I thought I was doing better than I am.

I have been working with the PFA for about 10 years now. The club 'rep' acts as the link between the union and the players. We are an extra mouthpiece to spread the gospel. Most people think we are only there to help with contracts and transfers, but there is more to it than that. The PFA is very important for the players for a whole range of reasons. We can help with anything from mortgages to pensions to investments and planning for a life after football.

I know that when I retire I want to stay in football — it has been my life for 20 years. But I also know that there are far

Steve Ogrizovic, the Coventry goalkeeper, makes his ITF choice

more people wanting to stay in the game than there are jobs for them — although I do not think picking teams is my strong point — not judging by my Interactive Team Football (ITF) selection.

I have no experience in management, but it seems to me the best tactic is to pick players who will score goals. You pick the strikers and four attacking midfielders and then mix and match with the defenders. Unfortunately, I have been a bit unlucky with injuries and teams not doing so well as I thought.

I picked David Platt because he will always score goals from midfield, but I have been unlucky with him because he has been injured for a while. Andy Impey is another one — he does attack but when I have seen him play this season he has been playing at right back. In defence, I thought Pemberton was a good bet because I thought Leeds would keep a clean sheet more often than not, but they have had a bit of a dip in fortune.

Some things have gone right. Nigel Winterburn is my top points scorer, which is no surprise. Arsenal are always right at the back and are not going to give many goals away, so he has been earning points every week. Mark Draper has also been a good buy: he can score goals and make goals, so he is a steady points winner.

My strikers cost me £13 million between them — the biggest outlay in the team. I think Le Tissier will get better as the season goes on; after all, he has been consistent over the last few years, scoring 20 or so goals a season. I could do with him knocking a few more in at the moment, but I'm not too worried.

Then there is Peter Beardsley. He is still a world-class player. I thought Newcastle would do well this season, and Beardsley is clever, he knows the game and he will always score goals. At £5 million he is more than worth the money.

NEWS

Regulator did not know of 'bribe'

■ The National Lottery watchdog denied that he had been told of an attempt to bribe Richard Branson to withdraw from the contest to run the competition.

Peter Davis, Director General of Oflot, also denied any impropriety in accepting free flights around America from a company with a stake in Camelot. Mr Davis was answering questions from members of the Commons Public Accounts Committee as the BBC prepared to broadcast Mr Branson's bribery allegations on *Panorama*. Page 1

Howard issues asylum white list

■ Michael Howard stepped up the Government's attack on bogus asylum seekers when he named the countries he plans to place on the so-called "white list" of nations deemed safe from political persecution. Page 1

Schools summit

The Education Secretary, Gillian Shephard, called the six teaching unions to a summit meeting on school security following the fatal stabbing of Phillip Lawrence, the London headmaster. Pages 1, 5

Holidays dropped

Tour operators have dropped one and a half million holidays from next summer's brochures to keep prices high and prevent customers from snapping up last-minute bargains. Page 1

Hero protection

The Crown Prosecution Service is expected to issue new guidelines to police warning them against rushing charges against "have a go heroes" who hit out in self-defence. Page 2

Classroom stabbing

A masked man burst into a Cleveland classroom and forced the children to line up on their knees before stabbing a girl to death, a court was told. Page 3

Conveyancing threat

A curb on conveyancing by cut-price solicitors could double the legal fees charged to house-buyers, the Consumers' Association said. Page 6

Campaigner sued

A Briton who exposed the use of electric lances by Japanese whalers is to be sued. Mark Voller may be fined about £60,000 for breach of contract. Page 7

Lesson in diplomacy for the Princess

■ The Princess of Wales swept in to New York to accept a prize for charity work, talk to General Colin Powell, and pick up a few career tips from Henry Kissinger. The Princess, who has lobbied for a future in diplomacy, accepted her award at a black-tie dinner from Dr Kissinger, the former US Secretary of State and global embassy veteran. Page 6

Source of BSE

Unsterilised cattle feed is likely to have been the main reason for the outbreak of "mad cow" disease that has killed more than 155,000 animals and blighted British beef, scientists say. Page 8

Nato's peace mission

Joint Endeavour, Nato's peace mission in Bosnia which gets under way on Thursday, will involve troops from 32 countries, including 20,000 from the US and 22 from Luxembourg. Page 11

Political pawns

Reports that two French pilots shot down over Bosnia are still alive have brought hope to the airman's wives, but also the realisation that they may have become political pawns. Page 12

Italian support

Lamberto Dini, the Italian Prime Minister, distanced himself from British scepticism over Europe's single currency and underlined his support for French and German plans. Page 13

Key election

The people of San Jose, California, vote today in a congressional by-election which will reverberate across the continent. Page 14

Dissident trial

The trial of Wei Jingsheng, China's most famous dissident, will open tomorrow and foreign reporters may be permitted to attend the defence. Page 15



Women from Brightlingsea, Essex, dressed as suffragettes, chained themselves outside Parliament to protest about live animal exports

BUSINESS

Nuclear decision: British Energy, the body that will own Nuclear Electric after privatisation, has abandoned plans to build two nuclear stations, which would have cost £4.87 billion. Page 25

Prices ease: Input prices paid by industry for raw materials and fuel eased again in October, keeping intact City hopes of a cut in interest rates. Page 25

Home income plans: Lawyers for investors who were mis-sold home income plans dismissed a proposed settlement by the West Bromwich Building Society. Page 25

Markets: The FT-SE 100 rose 22.1 to 3,652.1. The pound rose .63 cents to \$1.5340 and .30 pence to DM2.2156, lifting the sterling index from 82.5 to 82.8. Page 26

SPORT

Football: Les Ferdinand and Alan Shearer, the two supreme goal-scoring athletes of English league football, will both play for their country at Wembley against Portugal tonight. Page 48

Rugby union: The University match will draw 71,000 people to Twickenham today, a world record for a club match and a statement of faith in the game's traditional values. Page 46

Crickets: The England tour manager, Raymond Illingworth, is keen to have Mark Flint in the team for the pivotal third Test, which begins in Durban on Thursday. Page 48

Racing: The link between the vaccination for equine flu and lung disease is a myth, according to Edinburgh scientists. Page 45

ARTS

Nolde reassessed: The German Expressionist artist Emil Nolde, long shunned in Britain because of his Nazi connections, is the subject of a revealing retrospective at the Whitechapel Gallery. Page 35

Northern lights: Ambitious plans have been announced to make 1996 the Year of Visual Art in the North of England. Page 36

Pigs might talk: The big new film of the week, *Babe*, required more than 40 pigs to be trained to act; then the live action was combined with advanced "animatronics". Page 37

Dream casting: Sir Colin Davis conducting a superb performance of Britten's opera *A Midsummer Night's Dream* at the Barbican on Sunday. Page 37

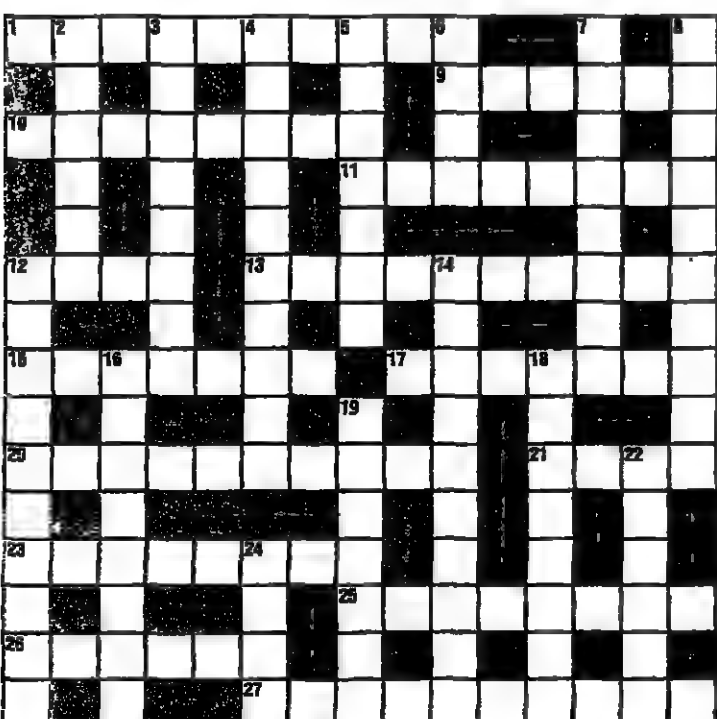
TOMORROW

IN THE TIMES
Put it on and pull up the zip: Iain R. Webb on Jaeger's new little black dresses

INTERFACE
Your chance to win two £1,000 PCs, plus a year on the Net for 50 runners-up



THE TIMES CROSSWORD NO 20,036



- ACROSS**
- Main conclusion of space mission (10).
 - Pass keys, drinks being kept inside (6).
 - Leader, possibly, with daughter serving apprenticeship (8).
 - Traps are visible in various directions (8).
 - Many in island wanted access to mine (4).
 - Advertiser's employee who mails accounts? (10).
 - Quarrel with cleaner, chucking article like a lout (7).
 - Sell excellent fish (7).
 - Player early in ground before start of test (10).
 - Constituency's country mansion (4).
 - Soldiers rejected by those people in charge of exercises (8).
- DOWN**
- Stop in America for a spell (6).
 - Disturbed French actor turned up in old set (8).
 - Commotion in port — a bear appears (10).
 - Well-organized leftist showing up in Paris suburb (7).
 - Head employed in one's school (4).
 - Musical work to repeat at random (8).
 - Monster finished crossing river with ease (3,7).
 - Vigorous exercises to include at flying displays (10).
 - Revised tour price on old island (6,4).
 - Sectarian's field featured in a news broadcast (8).
 - Reveal leader of demo lives nearby (8).
 - Genuine ungodliness about to overwhelm church (7).
 - About a day required to go over this land mass? (6).
 - Rise in duty demanded for gin (4).

Solution to Puzzle No 20,035

SCAPSTONE GRAVE
P H U N I X N
RAPPORT CHARMED
G A O D A I D U
EGUAT ASSURANCE
A I T H E S
NOMINEES STU D
I A G O L S E O
SIGN CASTIRON
S T E V E N K R C
N E V E R T A G E
I T S R S P R S
A B I D I N G I M P R E S S
I S G E D E E S E
L E M O N T H E O R I S E R

Times Two Crossword, page 48

TIMES WEATHERCALL

For the latest region by region forecast, 24 hours a day, dial 0800 500 followed by the appropriate code:

Greater London	701
Kent/Surrey/Sussex	702
Devon & Cornwall	703
Wiltshire/Avon/Dorset	704
West Midlands	705
West of England	706
North of England	707
Yorkshire & Lancashire	708
West Midlands & North	709
Central Midlands	710
East Midlands	711
Lincolnshire	712
East of England	713
W & S Yorks & Wales	714
W & S Yorks & Wales	715
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W & S Yorks & Wales	723
W & S Yorks & Wales	724
W & S Yorks & Wales	725
W & S Yorks & Wales	726
W & S Yorks & Wales	727

Weathercall is charged at 39p per minute (cheap rate) and 49p per minute at all other times.

AA ROADWATCH

For the latest AA traffic information, 24 hours a day, dial 0335 401 followed by the appropriate code:

London & M25	731
Area with M25	732
East of London	733
West of London	734
London & M25	735
London & M25	736
London & M25	737
London & M25	738
London & M25	739
London & M25	740
London & M25	741
London & M25	742
London & M25	743
London & M25	744
London & M25	745
London & M25	746
London & M25	747
London & M25	748
London & M25	749
London & M25	750

AA Roadwatch is charged at 39p per minute (cheap rate) and 49p per minute at all other times.

HIGHEST & LOWEST

Yesterday's highest temp: St Mary's, Isles of Scilly, 15°C (59°F); lowest temp: Ayr, 1°C (34°F); highest rainfall: Haverhill, 10.0mm (0.4in); highest sunshine: Bognor Regis, 7.0h.

ARE ALL THE CLUES IN THIS CROSSWORD CLEAR TO YOU?

WPA's Health & Sickness Plan pays you up to £100 towards eye tests, glasses and permanent contact lenses. Yet it starts at only £1.00 a week.

WPA

WPA's Health & Sickness Plan pays you up to £100 towards eye tests, glasses and permanent contact lenses. Yet it starts at only £1.00 a week.

FORECAST

General: most of England and Wales will have a dry but rather grey and misty day after the clearance of early frost and fog. A few brighter patches may develop later with a little sunshine in western counties.

Much of Scotland and Northern Ireland will have a cold start with patchy frost and fog. It will slowly brighten with some hazy sunshine, but cloudy skies in northern Scotland with persistent drizzle will edge south later.

London, Central N. Central S, SE, NE, E England, E Anglia, E W Midlands: rather cloudy and misty with a few fog patches. Wind light or moderate, northeast. Max 7C (45C).

Channel Isles, SW, NW England, Wales, Lake District, Isle of Man: patchy frost and fog mostly lifting, some sunshine later. Wind light northeast, occasional moderate. Max 8C (46F).

Borders, Edinburgh & Dundee, Glasgow, SW Scotland, Moray Firth, Argyll: patchy fog and frost slowly lifting, some bright spells, cloudy later with patchy drizzle. Wind light northerly. Max 7C (45F).

NE, NW Scotland, Orkney, Shetland: starting cloudy with rain and drizzle but becoming drier later. Wind moderate westerly veering northwesterly. Max 8C (46F).

N Ireland: patchy frost and fog slowly clearing, some sunshine, cloudy later. Wind light northerly. Max 8C (46F).

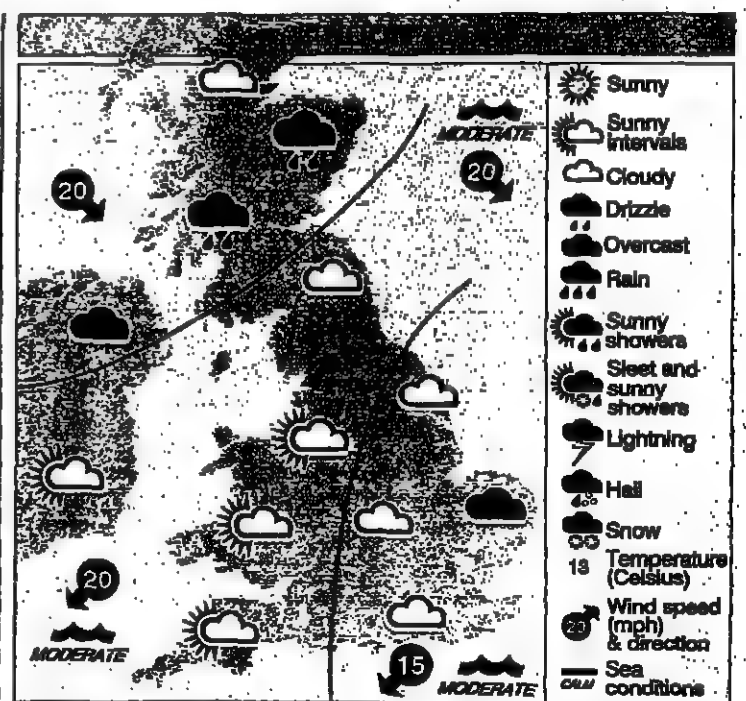
Outlook: light rain and drizzle in the South will clear; otherwise in other parts it will be dry with variable amounts of cloud.

AROUND BRITAIN YESTERDAY

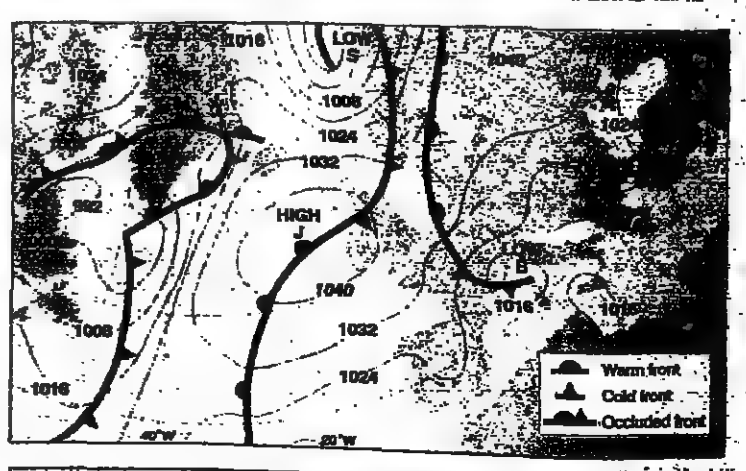
Station	Temp	Wind	Cloud	Temp	Wind	Cloud
London	10	10	10	10	10	10
Manchester	10	10	10	10	10	10
Birmingham	10	10	10	10	10	10
Cardiff	10	10	10	10	10	10
Edinburgh	10	10	10	10	10	10
Glasgow	10	10	10	10	10	10
Liverpool	10	10	10	10	10	10
Newcastle	10	10	10	10	10	10
Nottingham	10	10	10	10	10	10
Sheffield	10	10	10	10	10	10
Sunderland	10	10	10	10	10	10
Swansea	10	10	10	10	10	10
Torquay	10	10	10	10	10	10
Weymouth	10	10	10	10	10	10

ABROAD

City	Temp	Wind	Cloud	City	Temp	Wind	Cloud
Amsterdam	10	10	10	Paris	10	10	10
Berlin	10	10	10	Rome	10	10	10
Brussels	10	10	10	Madrid	10	10	10
Copenhagen	10	10	10	Moscow	10	10	10
Dublin	10	10	10	Peking	10	10	10
Helsinki	10	10	10	Prague	10	10	10
Lisbon	10	10	10	Stockholm	10	10	10
Madrid	10	10	10	Warsaw	10	10	10
Moscow	10	10	10	Vienna	10	10	10
Peking	10	10	10	Zurich	10	10	10



Changes to the chart below from noon: High J will drift east towards northern Britain and build slightly. Low S will move northeast and fill. Low B will fill.



HIGH TIDES

Station	AM	PM	Station	AM	PM
London Bridge	4:17	4:53	Lough	4:26	5:02
Aberdeen	4:16	4:52	Liverpool	4:47	5:23
Ammanford	9:51	10:27	Manchester	4:47	5:23
Belfast	1:41	2:17	Margate	4:47	5:23
Cardiff	9:34	10:10	Milford Haven	4:47	5:23
Dover	1:39	2:15	Newquay	4:47	5:23
Falmouth	2:20	2:56	Oban	4:47	5:23
Glasgow	3:50	4:26	Perth	4:47	5:23
Hull	2:16	2:52	Portsmouth	4:47	5:23
London	4:17	4:53	Shoreham	4:47	5:23
Manchester	4:47	5:23	Southampton	4:47	5:23
Margate	4:47	5:23	Swansea	4:47	5:23
Milford Haven	4:47	5:23	Tees	4:47	5:23
Newquay	4:47	5:23	Wilton-on-Don	4:47	5:23

HOURS OF DARKNESS

Location	Start	End
London	4:02 pm to 8:07 am	4:02 pm to 8:07 am
Edinburgh	3:38 pm to 8:35 am	3:38 pm to 8:35 am
Manchester	3:40 pm to 8:17 am	3:40 pm to 8:17 am
Perth	4:20 pm to 8:13 am	4:20 pm to 8:13 am

FEE FEVER 29

The mega-deal is back to swell City bank coffers

ARTS 35-37

Dick King-Smith's pigs make it big in Hollywood

SPORT 43-48

Ferdinand eager to make most of England chance

FOCUS ON THE BASQUE COUNTRY

Page 33

THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY DECEMBER 12 1995



David Crossland, chairman, is looking for businesses to buy in Canada that will balance the seasonal nature of the group's British outlets

Airtours on lookout to buy after profits fall

BY MARIANNE CURRIE

AIRTOURS, the tour operator, is looking for further acquisitions in North America to reduce dependence on the highly seasonal UK package holiday market, its chairman said yesterday.

Disclosing a 22 per cent drop in pre-tax profits for the year to September 30, David Crossland said the fall from £75.8 million in 1994 to £59.1 million had been disappointing. The results included a £47 million goodwill write-off for acquisitions.

He refused to comment on speculation that Carnival Cruise Line of the US was interested in acquiring Airtours, but said he was looking to buy other businesses in Canada which were counter-seasonal to the UK.

Going Places, the high street travel agent, recorded a £7 million profit (£6.5 million).

Fully diluted earnings per share fell to 32.6p (44.4p), and the total dividend will be 14p (12p), payable on February 20.

Tempos, page 28

New nuclear power stations scrapped

BY ALASDAIR MURRAY

BRITISH Energy, the company which will own Nuclear Electric and Scottish Nuclear following privatisation next year, announced yesterday that it was abandoning proposals to build two new nuclear power stations costing a total of £4.9 billion.

Robert Hawley, chief executive, said that British Energy would not be proceeding with the new power stations, earmarked for Sizewell in Suffolk and Hinkley Point in Somerset, because of current uncertainty about UK energy prices and the need to concentrate on pushing through privatisation.

The City had been concerned about the huge cost of the projects, which were unlikely to provide any investment return for up to ten years. Dr Hawley said: "At present the future of UK energy prices is insufficiently certain for British Energy to

invest in new nuclear or indeed in any other form of new generation in the short term. Our current priority throughout the group is the successful privatisation of British Energy next summer."

The Sizewell C project would have cost £3 billion, and provided around 14,000 construction jobs across the country, although provisional planning permission had been refused by Suffolk County Council and British Energy would have faced a lengthy public enquiry before being able to proceed.

The Hinkley C project already had planning permission, won after a lengthy public enquiry in 1990, and would have cost £1.9 billion and provided work for around 4,500. The news was greeted with delight by environmental campaigners who described the decision as the death of nuclear power. Patrick Green,

senior energy campaigner for Friends of the Earth, said: "This is the final nail in the nuclear coffin and the end of the nuclear dream. No more nuclear power stations will be built in the UK."

John Battle, Labour's Shadow Energy Minister, blamed the Government's strategy on



Hawley: not proceeding

privatisation of the industry for forcing British Energy to abandon the projects. He said: "The unthought out rush to privatise has obviously put the pressure on and now the nuclear industry is being restructured without any strategic forethought."

But the City had been anticipating the decision. Institutions were concerned about the cost of the project and overcapacity in the electricity generation market. Some analysts expect British Energy to expand into cheaper gas-powered generators rather than build new nuclear power stations after privatisation.

Earlier in the year the Government's White Paper on the nuclear industry concluded that new nuclear power stations were economically unviable once the subsidies the industry had enjoyed are removed after privatisation.

Prices preserve hopes of rate cut

BY JANET BUSH, ECONOMICS CORRESPONDENT

A FURTHER easing in industrial price pressures yesterday kept intact City hopes for a base-rate cut after tomorrow's monetary meeting.

Input prices — paid by industry for raw materials and fuel — fell 0.1 per cent in October, depressing the annual rate of inflation to 6.2 per cent from 7.7 per cent, according to the Central Statistical Office.

Output prices rose 0.2 per cent compared with September, which pushed the annual rate of inflation down slightly to 4.3 per cent from 4.4 per cent, better than the City had been expecting. The underlying measure, which strips out food, drink, tobacco and petrol prices, also decelerated to 4.6 per cent from 4.7 per cent in September.

Gilt and shares rallied on the news and a survey of City economists by Market News Service showed that 24 out of 29 polled believe that there will be a cut in base rates of

between a quarter and half a point from the current 6.75 per cent over the next three months. The large element of doubt concerns timing, with uncertainty about whether Kenneth Clarke, the Chancellor, will push for a rate cut at tomorrow's meeting with Eddie George, Governor of the Bank of England.

Mr George, while acknowledging that the economy has slowed, strongly suggested in his testimony to the Treasury Select Committee last week that he opposed a rate cut.

Many economists believe that Mr Clarke does not want to risk all on a showdown with Mr George at this stage and may prefer to wait until British inflation indicators are even more clearly pointing downwards. It would be easier to get away with a sustained drop in base rates, without undermining the pound, early next year.

Anastole Kaletsky, page 29

Subdued start to trading for Grid

BY ALASDAIR MURRAY

TRADING in National Grid shares opened with a whimper rather than a bang yesterday as the expected rush to buy shares from FT-SE 100 tracker funds failed to materialise. The shares closed at 209p just up on Friday's closing grey market price, after reaching a high of 211p.

North West Water and Scottish Power, two of the remaining five companies who have not yet put their Grid shares on the market, also said that they were launching a global book building exercise to dispose of their holdings, which further dampened the market's enthusiasm.

Shareholders who received Grid shares through their holdings in regional electricity companies also had the chance to work out how much tax they will have to pay. The shares are being taxed as dividends, although basic rate taxpayers will qualify for the new savings tax of 20 per cent.

Tempos, page 28

BUSINESS TODAY

STOCK MARKET INDICES

FT-SE 100	3652.1	(-22.1)
Yield	3.95%	
FT-SE AAI share	1781.53	(+8.15)
Nasdaq	19255.78	(-60.18)
New York		
Dow Jones	6178.90	(+22.04)*
S&P Composite	619.58	(+2.06)*

US RATE

Federal Funds	5 1/4%	(5 1/4%)
Long Bond	11 1/4%	(11 1/4%)
Yield	6.05%	(6.05%)

LONDON MONEY

3-mth interbank	6 3/4%	(6 3/4%)
Life long gilt	11 1/4%	(11 1/4%)
Future (Dec)	11 1/4%	(11 1/4%)

STERLING

New York		
\$	1.8395*	(1.8340)
London		
£	1.8341	(1.8331)
DM	2.2157	(2.2192)
FF	7.6485	(7.6425)
SFR	1.7353	(1.7323)
Yen	155.02	(155.08)
£ Index	82.8	(82.5)

DOLLAR

London		
DM	1.4435*	(1.4465)
FF	4.9828*	(4.9855)
SFR	1.1690*	(1.1680)
Yen	101.88*	(101.25)
\$ Index	94.1	(94.1)

Tokyo close Yen 101.06

NORTH SEA OIL

Brant 15-day (Feb)	\$17.45	(\$17.40)
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GOLD

London close	\$389.45	(\$389.75)
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* denotes midday trading price

Liffe set to bring life to floor of Exchange

TRADING will return next year to the floor of the Stock Exchange, which has been silent since 1992 (Robert Miller writes).

The London Stock Exchange and the London International Financial Futures and Options Exchange (Liffe) have signed heads of agreement for Liffe to lease the former Stock Exchange trading floor, as well as office and accommodation space from the latter half of 1996 until the year 2004. The trading floor was last used by the London Traded Options Market, which merged with Liffe in March 1992.

Liffe, which last month announced plans to merge with the London Commodity Exchange, will rent nearly 75,000 square feet, making it one of the largest City lettings in recent months. As well as the trading floor, Liffe will lease one floor of the Stock Exchange's Tower head office, with an option for a second floor.

Daniel Hodson, chief executive of Liffe, said: "The leasing of the Stock Exchange trading floor and ancillary space realises Liffe's medium-term premises strategy. There are a considerable number of developments at Liffe which will be implemented during 1996, which will impact on our need for trading floor space."

Michael Lawrence, Stock Exchange chief executive, said: "Letting these areas is part of the sound management of the Exchange's assets. This agreement with Liffe creates an ideal arrangement to make best use of the specialist nature of the accommodation."

Barings report imminent

BY ROBERT MILLER

THE City watchdog investigating the role of 12 former executives in the £860 million collapse of Barings is expected to complete its inquiry early in the New Year.

The Securities and Futures Authority (SFA), the regulator for brokers and futures dealers, had been expected to make an announcement on its findings next Easter, after the appeals procedure by those found guilty of rule breaches had been exhausted. Now, however, pressure from MPs on all sides of the House and public interest concerns about the crash of Barings mean that the SFA could make public its findings by the end of January. The SFA said last night: "We can neither confirm nor deny speculation that we will

make an announcement about the Barings investigation."

SFA investigators are understood to be looking at a wide range of possible charges against the 12 former directors. These include Peter Barings, the former chairman and his deputy Andrew Tuckey, who works as a consultant at Barings and is the only one of the 12 allowed to work in the securities industry while the investigation is in progress. Mr Tuckey is reported to be in line to receive a bonus-enhanced remuneration package worth up to £500,000 based on his key role in Lloyds Bank's proposed £6 billion takeover of TSB Group.

The most wide-sweeping charge that could be levelled against any of the 12 is a

breach of the Securities and Investments Board's (SIB) principle rule on controlling internal affairs. SFA investigators are studying the role of those supervising Nick Leeson, the trader who was sentenced to 6½ years in prison by a Singapore court for his role in the collapse. Charges that could be brought include a failure to control the conduct of staff.

James Bax, Leeson's immediate boss at Barings Far East, could face a court case based on alleged rule breaches in Singapore. In London, the SFA is looking at the role of Ron Baker, Mary Walz, Tony Gamby and Peter Norris.

Pennington, page 27
Happy returns, page 29

Jersey legal move attracts accountancies

PRICE Waterhouse and Ernst & Young are expected to become the first UK accounting firms to become limited liability partnerships after a move by Jersey to introduce limited liability partnership legislation.

The proposed law in Jersey is based on similar legislation in the US state of Delaware under which major US accounting firms now operate.

Nick Land, senior partner of Ernst & Young, said: "It would appear to be a pretty simple thing to do and it keeps our partnership ethos intact."

Safe haven, page 26
Pennington, page 27

Society's offer rejected

BY ROBERT MILLER

LAWYERS acting for hundreds of elderly investors who were mis-sold home income plans have dismissed a proposed settlement by the West Bromwich Building Society as "total window dressing".

Richard Barnett, a partner of Barnett Sampson, the law firm that represents more than 300 elderly victims of the late Eighties and early Nineties, said the offer put forward yesterday by West Bromwich, and brokered by the Securities and Investments Board (SIB), the chief City watchdog, was "of no use to our clients".

The plans, which were linked to stock market investment bonds, have been banned by regulators, but the outstanding debts have continued to mount. The mort-

gage funding was supplied by several building societies, including Cheltenham & Gloucester, now part of Lloyds Bank, and National Counties.

The plans were sold by independent advisers who have gone into liquidation, triggering compensation payments totalling more than £45 million.

The Investors Compensation Scheme has paid out about £10 million to investors who bought plans through Fisher Prew-Smith using West Bromwich mortgages. The building societies have admitted supplying the funding, but denied responsibility for selling them.

West Bromwich's package of measures include the assurance that no investor would

face repossession of their homes during their lifetime, although the property could be sold after they die, and that balances of less than £1,000 would be written off.

Mr Barnett said that the average outstanding debt of his clients was between £15,000 and £20,000. "What is so disappointing is that the SIB has been talking to the West Bromwich for the best part of a year and got absolutely nowhere other than the resurrection of the same old dustbin of measures," he said.

"We want to see elderly investors restored to the position they were in before they ever entered into the disastrous plans."

Pennington, page 27

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Catalogue group surges

Profits at Innovations Group, the home shopping company formerly known as Kleeneze Holdings, recovered to £9 million before tax from £128,000 in the year to August 31.

Profits were lifted by the sale of Kleeneze Homecare, the household goods arm, and VAT recovery of £4.8 million. Earnings per share rose to 41.7p (0.89p), but there is no interim payout.

EDP dips

Pre-tax profit at Electronic Data Processing, the computer software company, fell to £3.08 million (£4.12 million) in the year to September 30. The total dividend rises to 2.15p (2p), with a 1.483p final due on April 9.

Carclo ahead

Carclo Engineering, the maker of card clothing and cables, is raising its interim dividend to 3.44p a share (3.2p) after achieving profits of £8.2 million before tax (£6.7 million) in the half year to September 30.

Pelican soars

Pelican Group, the restaurant operator, announced pre-tax profit of £3 million (£1.4 million) for the six months to September 30. The interim payout, due on January 24, is 0.65p (0.5p).

TOURIST RATES

	Bank Buys	Bank Sells
Australia \$	2.17	2.01
Austria Sch	13.80	15.10
Belgium Fr	40.58	44.28
Canada \$	2.222	2.082
Cyprus Cyp£	0.742	0.887
Denmark Kr	8.18	8.30
Finland Mk	7.21	8.58
France Fr	6.07	7.48
Germany DM	2.37	2.16
Greece Dr	386.00	380.00
Hong Kong \$	12.49	11.49
Ireland Ir	1.02	0.94
Israel Shk	5.1500	4.5000
Italy Lit	2548.00	2394.00
Japan Yen	190.20	180.30
Malta	0.522	0.537
Netherlands Gld	2.035	2.036
New Zealand \$	2.52	2.30
Norway Kr	10.34	9.84
Portugal Esc	244.00	228.50
S Africa Rd	167	157
Spain Ptas	166.00	185.00
Sweden Kr	10.88	10.08
Switzerland Fr	1.93	1.75
Turkey Lira	1694.0	8164.0
USA \$	1.829	1.699

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.



Michael Smith, chief executive of API Industries, yesterday said raw material prices are stabilising. API pre-tax profits rose to £8.35 million (£7 million) for the year. Total dividend rises to 10p from 9.08p, with a 5.93p final due February 12.

Jersey offers safe haven for accountants' assets

By ROBERT BRUCE AND JON ASHWORTH

JERSEY is to introduce limited liability partnership legislation, seeking to attract leading UK accounting firms who strive to escape the threat of costly litigation.

Price Waterhouse and Ernst & Young, who encouraged Jersey to make the required legislative changes, are set to become the first firms to become limited liability partnerships. The proposed law in Jersey is based on similar legislation in the US state of Delaware under which all the major US accounting firms now operate.

Nick Land, senior partner of

Ernst & Young, said limited liability partnerships "would merely protect the partners' personal assets. It doesn't protect the partnership's assets, the partnership itself or the individual partner involved in any litigation".

A surge in litigation, including the award last week of £105 million against Brierley Hamlyn, has increased pressure on firms to protect partners. Ian Brindle, senior partner of Price Waterhouse, said that limiting liability of partners "protects them from Armageddon". Mr Land said that "the only impact will be to

protect the personal assets of our partners in the event of catastrophic litigation".

Mr Land said: "It would appear to be a pretty simple thing to do and it keeps our partnership ethos intact." This was echoed by Mr Brindle. "You play around with a partnership at your peril," he said.

Until now, incorporation and the abandonment of the partnership system had been seen as the pragmatic answer to the litigation problem. The firm of KPMG announced in October that it would incorporate its audit business, and many firms had been expected

to move towards some sort of incorporation in the coming year. But now that a Delaware-type solution is available, that is likely to change. KPMG says it will stick to its guns, but new options now open up for other firms. "We still see incorporation as possible," says Mr Land, "but we see the Jersey scheme as the preferred solution."

The attraction of a Jersey-based agreement is that the firms would remain fully UK-based, accountable to UK regulators and the English ICA as well as the legal system having the House of Lords as the final route of legal appeal. It is seen as providing the advantages without the stigma of going offshore.

The intention is that the proposals will be debated by the Jersey Parliament next spring, and, if approved, would go forward to be sanctioned by the Privy Council. If they cross that hurdle, the new law would be in operation in late 1996.

Pennington, page 27

Microsoft shares hit by NBC talk

MICROSOFT shares fell nearly a dollar to \$93.6 in New York yesterday on reports that it is planning to spend \$4 billion on a 49 per cent stake in NBC, the television network owned by General Electric (Richard Thomson writes). Conflicting reports, however, said that the

computer software group was planning to invest \$100 million in a joint venture with NBC to create a 24-hour cable news service. NBC already supplies content to Microsoft's on-line news service. GE has made no secret of looking for potential investors in its TV network. Microsoft

would not comment on either report. "We talk to a lot of people all the time," a spokeswoman said. However, Bill Gates, Microsoft's chairman, is known to be close to Jack Welch, GE's chairman, and Robert Wright, chairman of NBC. He held meetings with Mr Wright earlier this year.

Cash call plan at Owen & Robinson

By SARAH BAGNALL

MORRIS DWK, a former chairman of Owen & Robinson, is said to be seeking institutional shareholder support for a £6 million rights issue that would result in a relisting of the retailer's shares.

The company plans to use the proceeds to buy out Philip Green, the flamboyant former head of Amber Day, the discount clothing chain re-named WEW. Mr Green holds 16 per cent of the company's equity and £6 million of its debt.

Negotiations with Mr Green to buy his debt — at a discount — and his shareholding are said to be at an advanced stage. Mr Green acquired the debt at a discount from TSB in July but the size of the discount was not disclosed.

At the same time, he acquired the shareholding from Hill Samuel, TSB's merchant banking subsidiary. A week earlier, the retailer's shares had been suspended at 16p after the company gave warning that it was suffering from cashflow difficulties.

Mr Dwek, who owns 16 per cent of the O&R equity, is said to have joined forces with Rodney East and Keith Miles, the former chief executive and finance director of Etam, to form a management team.

Several institutional shareholders are thought to have already given their support to the plan. Guinness Mahon is the merchant bank advising on the fundraising and Charles Stanley is the broker. If the rights issue goes ahead and Mr Green is bought out, O&R will emerge with no gearing.

The company axed its loss-making jewellery chain in April but in July was forced to suspend the shares when the £2 million that it had set aside to cover the closure costs proved insufficient.

Heavy lease obligations proved a severe financial drain on resources and the lack of cash began to cause problems for Foothold, the group's profitable sportswear business. In an attempt to rescue the group, Mr Green put the jewellery business in voluntary liquidation and the parent company and Foothold into administration.

Dale chairman of rival to Littlewoods

BARRY DALE, the former chief executive at Littlewoods, has emerged as chairman of a consortium of companies planning to launch a home shopping rival to the pools and retail group. The news comes days after Mr Dale had a £1.1 billion takeover approach rebuffed by the Moores family who own Littlewoods. The shareholders voted by four to one to reject the advance made by Mr Dale or any other potential bidder.

Mr Dale, who was sacked from Littlewoods in March and is taking legal action for wrongful dismissal, was approached in the summer to head the initiative, which will be called the World Prize Club. It comprises more than a dozen manufacturers of a wide range of products. The business is expected to be launched nationally in September.

Mercury trust buy-back

MERCURY European Privatisation Investment Trust, whose half-time dividend will stay at 0.60p, is to seek approval from shareholders and warrant holders for a share buy-back scheme to reduce the discount on which its ordinary shares trade and increase their underlying net asset value. The trust wants to buy, for cancellation, up to 86 million of its own ordinary shares and to issue up to £86 million worth of preference shares to finance the buy-back.

BET in Securicor swap

BET, the business services group, is swapping its managed guarding business, Shorrock Guards, for Securicor Alarms. Securicor's electronic security business. In addition, BET will transfer Shorrock's existing cash balance of £7.4 million to Securicor and make a further cash payment of £2.3 million. Securicor said it would integrate Shorrock Guards with Securicor Guarding to become the second-largest managed security guarding enterprise in the UK. *Tempus, page 28*

Greene King advances

GREENE KING, the East Anglian brewer whose brands include IPA and Abbot Ale, achieved a 13 per cent rise in first-half profits and said trading continued to be satisfactory. In the half year to October 15, pre-tax profits rose to £11.05 million (£9.8 million), lifting earnings to 19.1p a share (17.5p). The interim dividend, due February 2, is 4.5p (4.1p). Shares were up 4p to 633p. Profits from tenanted trading rose 5 per cent, while retail trading profits lifted 14 per cent.

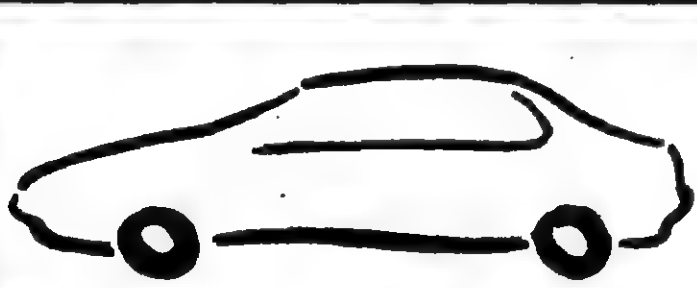
Foster's bids for Mildara

FOSTER'S BREWING GROUP has spent almost half the proceeds from its sale of Courage to Scottish & Newcastle on a A\$482 million (£231 million) bid for Mildara Blass, one of Australia's leading wine makers. The group, which raised A\$980 million from the Courage sale four months ago, is offering A\$7.75 a share for the wine group whose brands include Wolf Blass, Yellowglen and Jamieson's Rum.

Johnson & Firth boost

JOHNSON & FIRTH BROWN, the specialist engineering group, has made a strong recovery, reporting profits of £5.8 million before tax for the year to September 30, compared with losses of £4.4 million in the previous 12 months. Earnings were 2.9p a share, against losses of 3.6p previously. There is a final dividend of 0.7p a share, due March 1, making a total of 1p (nil). The company proposes to change its name to Firth Rixson.

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كلنا من الأصل

□ Accountants flee offshore □ Christmas cheer for the City □ Cold comfort from the SIB

Liability within limits

□ UNLIMITED liability is a great discipline in principle. It becomes a burden unintended by Parliament when lawyers start suing in billions and target supposedly deep pockets regardless of the extent of their blame.

The status of big professional firms had to change. But how? A touch of lateral thinking at Price Waterhouse, egged on by Ernst & Young, looks like providing the first satisfactory answer.

Jersey, ever keen to bolster its status in financial services, did not need asking twice to develop a form of limited liability partnership as in Delaware in the US and already common on the Continent. If the proposed law goes through in a year's time — and there seems little reason for the States parliament or the Privy Council to demur — the rest of the Big Six other than KPMG, along with top solicitors and architects will surely line up to re-register in Jersey.

Indeed, others broadly within the UK legal system will kick themselves for not thinking of it first. A more independent Scotland would surely have leapt at the chance of fortifying its partnership law and its financial centre in a way that would have avoided the inevitable, though

misguided, charge that accountants are fleeing offshore to avoid their responsibilities.

The sheer complexity of its partnerships drove KPMG to try to protect partners via a company for high-profile audits. KPMG Audit Ltd is about to sign up clients from the partnerships, so the firm aims to stick with what already looks a second-best solution, albeit one available now under English law.

Limited liability partnerships would not solve auditors' legal problems. As PW's Ian Brindle notes, they only protect against Armageddon, which roughly translates as the £230,000 a time facing Binder Hamlyn partners if last week's £105 million damages judgment stands. Individual partners would still be personally liable for their own negligence. The firm's assets would also be at stake, and clients can make sure these are not conveniently shrunk.

Removing the fear that hundreds of partners in a firm might

lose their houses should change the psychology of the poker game between litigants and professional firms. But the origins of the intended flight offshore lie in the "joint and several liability" lawsuit. This leaves any party to a damages suit liable for the full amount regardless of the degree of their liability. America is now almost sure to bring in proportionate liability and if the Law Commission is sensible, Britain eventually will too.

When the rules are fair, accountants should be called much more rigorously to account when they display weak-mindedness and low standards.

Bonuses, bids and bandits

□ THE bonus season, for investment bankers, is approaching. This is the annual event that City dealmakers, a normally garrulous bunch, are a shade bashful about. Merchant banks, for the



most part, like to retain a certain mystique and too much publicity about precisely who scoops what out of the kitty when the oranges come up tends to jar with the old masters, the heavy cutlery and the faded carpets.

This year the Masters of the Universe are in luck. Not only are the slot machines — known as corporate finance departments — registering win lines but rude headlines about City pay have, for the most part, been kept at bay. Why have merchant bankers not suffered their annual vilification? The answer is that 1995 was the year com-

petition reared in the bonus stakes. Utility chiefs started to cash in their share options, an exercise that proved all the more lucrative as a result of takeover mania in the electricity sector. Lucrative for the utility chiefs, lucrative for the City's corporate finance departments. But it was the former who provided new grist for the rude headline mill. There is nothing new, after all, about the City's practice of charging generous fees.

But it is the fees that feed the bonuses and industry's urge to merge, on both sides of the Atlantic, will shortly find reflection in bonuses sharply up on 1994 but below those paid in 1993.

It is no secret on Wall Street that Goldman Sachs has enjoyed an excellent year and the firm, on course for profits of \$1.4 billion, has already informed employees — excluding partners — that 1995's bonus will equate to 20 per cent of salary compared with 8 per cent last year and 30 per cent

in 1993. Morgan Stanley is expected to celebrate in style but, by way of contrast, PaineWebber is reputed to have experienced tough trading as has Salomon Bros. Meanwhile, Barings and Daiwa remain the stuff of headlines, rude or otherwise.

Pondering home truths

□ SOME of the best deals are done behind closed doors and then proclaimed to the world. Yesterday's announcement that the Securities and Investments Board, the chief City watchdog, and West Bromwich Building Society, had put together a deal to "help" elderly investors who were mis-sold home income plans was not one of them.

The regulator said the agreement that elderly investors will not be repossessed in their lifetime, although the house could be forfeited after they die, was "the best outcome achiev-

able under our powers". That says it all. Home income plans linked to unsuitable stock market investment bonds have been banned by the regulators since the early 1990s. If the SIB had wider ranging powers as the recent report by the Commons Select Committee suggested and a brief to regulate lending as well as investments, then a satisfactory outcome to the home income plan problem might have been reached long ago.

The only part of the regulatory system or the financial services sector to emerge with any credit in this whole sorry saga is the Investors' Compensation Scheme. The ICS, whose approach is legal rather than altruistic, has received opinion that it is entitled to pursue those building societies which supplied the funding for the plans. The ICS wants to restore investors' homes to them with all debts written off. Until that day those who supplied the funding, those who sold the plans and those who regulated them should ponder how they would react if one of their elderly relatives had lived with the threat of losing their home for years and even now fear that it will be lost when they die.

Alders shares knocked by short-term warning

By SARAH BAGNALL

ALLDERS, the duty free and department store group, disappointed the City yesterday by warning shareholders not to expect any significant short-term growth in profits.

Harvey Lipsith, chief executive, said: "The message is of short-term caution but medium-term optimism." The bleak statement prompted analysts to cut their profit forecasts for the year to September next year, and the shares fell 20p to 169p — an all-time low. Alders floated at 170p in October 1993.

Alders has completed a year of rapid growth after taking advantage of opportunities to expand. Yesterday, Mr Lipsith revealed a switch in emphasis from expansion to

consolidation. "We are taking a breather from the investment programme and are looking more closely at what we are doing in the business. We may have been suffering from a little bit of indigestion from the expansion."

He revealed a fall in pre-tax profits, from £25.5 million to £23.5 million, in the year to September 30. Turnover rose 13 per cent, to £829 million. Profits were reduced by £5.9 million of costs associated with opening new outlets, though the amount was mainly offset by a £4.8 million uniform business rate (UBR) refund. The UBR rebate was responsible for lifting the group's department stores operating profits, from £13.2

million to £15.3 million, while start-up costs dragged down the duty-free shop profits, from £13.5 million to £11.6 million.

Reflecting the growth of the business, both parts of the group reported increased sales. Department store sales rose 4.5 per cent and underlying sales rose 2.5 per cent as a result of a reasonable first half followed by a weak second half. Mr Lipsith said there had been some improvement in September but that that had come too late to show in the results.

The benefits of a recent refurbishment programme are beginning to feed through in increased sales but the group gave warning that any

gains will have to be made against a backdrop of weak demand and upward pressure on costs. "It would be unwise to expect these conditions to change significantly in the short-term," said Mr Lipsith.

The board was also cautious about Alders International, the duty-free business that reported a 19 per cent rise in sales. The group said the business faced risks as well as opportunities.

The dividend was lifted from 4.5p to 4.6p, making a total of 7p, up from 6.7p last time. The dividend, due on February 22, is being paid out of earnings of 15.4p a share, down from 20.6p last time.

Tempos, page 28

Hogg lands new role at Domecq

SIR Christopher Hogg has emerged as the next chairman of Allied Domecq, the drinks company. He will succeed Michael Jackman, who retires next April (Martin Barrow writes).

Last week, Sir Christopher, 59, said he would retire as non-executive chairman of Courtaulds, the chemicals company, in July 1996. He is also chairman of Reuters Holdings and is a non-executive director of SmithKline Beecham and the Bank of England. He was appointed a non-executive director of Allied Domecq last June.

Mr Jackman, 60, was appointed chairman of Allied Domecq in 1991. He has held a number of senior positions, notably in wines and spirits, and he played a leading role in the purchase of Hiram Walker in 1987.

Kenwood boosted by Italian sales

By SARAH BAGNALL

ACQUISITIONS in Italy helped Kenwood Appliances lift pre-tax profits 24 per cent to £7.4 million in the six months to September 30.

Tim Beech, managing director of the kitchen equipment group, said the increase in profits "included a difficult first half year's trading in the UK compensated by an encouraging performance from Ariete and Mizushi".

Ariete and Mizushi — the group's Italian businesses — were acquired in November 1994.

Sales in the United Kingdom slipped 7 per cent to £20.3 million as the hot weather affected sales of food mixers.

The advance in profits was achieved on the back of a 44 per cent leap in turnover to £87.2 million. Mr Beech reiterated

that the group's results, particularly in the United Kingdom, would be weighted more towards the second half than in previous years. The change is due to the timing of new product launches.

He said trading in the second half had started well, although retailers have placed their Christmas orders later than in previous years. He added that the group had a number of new product launches planned which should help lift sales.

The shares fell 2p to 229p — a far cry from the flotation price of 285p when they were floated in 1992.

The interim dividend, due February 23, is being held at 3.25p and is payable out of earnings of 11.3p, up from 11.2p.

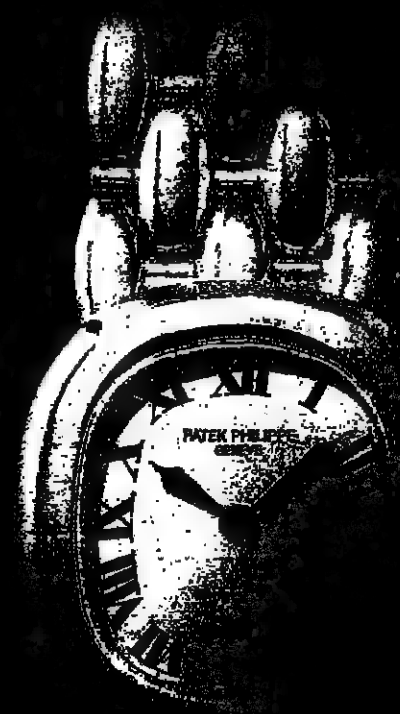
Profits fall to £9m at Firstbus

FIRSTBUS, the public transport company, suffered a 24 per cent drop in first-half profits to £9 million after it was hit by large restructuring and merger charges (Alasdair Murray writes).

The company, which was formed by the merger of Badgerline and GRT bus groups, wrote off £1.6 million for restructuring charges and £3.6 million for merger charges. It said that restructuring charges for the second half would be greater.

Turnover increased by 16 per cent to £174 million while operating profits rose 23 per cent to £19.4 million. The company also increased its margins from 10.5 per cent to 11.1 per cent.

The share price closed down 1p at 143p. The half-year dividend is 1.6p and will be paid on February 19.



PATEK PHILIPPE
GENEVE

WATCHMAKERS TO LADIES SINCE 1839

STOCK MARKET

MICHAEL CLARK

Shares rise on hopes of a cut in interest rates

WILL he cut interest rates, or won't he? It is a question that the market has posed a lot in recent weeks and may be why it is looking forward to tomorrow's monthly meeting between Kenneth Clarke, the Chancellor, and Eddie George, Governor of the Bank of England, with more than just passing interest.

Last week, Eddie George made clear his objections to another cut in interest rates. He is more worried about the economy than he has been for some time and will tell the Chancellor so.

The stock market was happy to forget about his gloomy comments yesterday as share prices went some way to wiping out last week's 50-point fall, cheered by better than expected factory gate numbers. Brokers said this provided further evidence that the economy had slowed down enough to prompt a further cut in rates.

This combined with the positive opening rise in the Dow Jones industrial average on Wall Street enabled the FT-SE 100 index to close a shade below its best of the day, with a rise of 22.1 points at 3,652.1. London's underlying performance was even better after taking into account that ex-dividends were equivalent to a seven-point fall in the index.

Heavy turnover was recorded in the National Grid as official trading in its shares began. By the close of business, more than 233 million had changed hands, but the price retreated 2p to 208.5p.

Brokers said institutional demand had been blunted by a book-building exercise carried out in 181 million National Grid shares by UBS and Kleinwort Benson on behalf of North West Water and Scottish Power.

There has been much criticism of the bookbuilding system, but Kleinwort and UBS were able to complete the exercise by 3.30pm at an average price of 208p.

But there was little sign of the expected demand from institutional tracker funds for National Grid. The shares have been traded for the best part of a month on the unofficial grey market. Before flotation it was owned by the 12 regional electricity companies.

The heavy turnover in the National Grid helped to boost total market turnover to \$18 million shares.

Analysts have returned from their round-the-world



Tim Beech, chief executive, expects a boost at Kenwood

trip with Vodafone in good heart. The price rose 4p to 229p after a welter of buy recommendations were published by the likes of Merrill Lynch, Société Générale Strauss Turnbull, BZW and NatWest Securities. Another broker, Henderson Crosswhite, was already bullish before the trip started. It expects the group's loss-mak-

Britain's second-biggest package tour operator, weighed in with better than expected half-year figures. The shares jumped 2p to 358p.

After eight years of continuous growth, pre-tax profits fell from £75.8 million to £59.1 million. But in the wake of a profit warning in August, they were in line with expectations. Brokers had feared a worse final

increased. Charterhouse Tilney, the broker, said it had downgraded its forecast for the year by £3 million to a virtually unchanged £23 million.

Brokers reported only modest support in first-time dealings for Gearhouse, which supplies equipment and staging services for the conference and exhibition markets. Placed at 203p, the shares opened at 203p where they traded for the rest of the day.

There appeared to be little demand, and by the close of business fewer than 60,000 shares had changed hands. Keawood, the domestic appliances group, is looking for a strong second-half performance after the introduction of new products. In the first half, the group boosted pre-tax profits 24 per cent to £7.4 million. Tim Beech,

said Ariete and Mizushi, the new acquisitions, had enabled the group to offset a dull performance in the domestic market. The shares fell 2p to 229p.

Reasons Group, the engineer, celebrated a return to the black with a rise of 1p to 54p. Richard Phillips, chairman, told shareholders at the annual meeting that the group's return to profit would be sustained until the end of the financial year. Last year, it reported an operating loss of £500,000.

GILT-EDGED: There was a general reluctance on the part of institutional investors to open fresh positions and this was clearly reflected in the low levels of turnover. There is too much at stake this week for fund managers to take a cavalier approach. Apart from the inflation numbers, there is also some anxiety ahead of tomorrow's meeting between the Chancellor of the Exchequer and Governor of the Bank of England followed on Thursday by the Bundesbank meeting.

Nevertheless, the market enjoyed an early mark-up, although prices failed to maintain their levels. In the futures pit, the March series of the long gilt firm five ticks to £110 1/4 as turnover slipped to 22,000 contracts.

In the cash market, Treasury 8 per cent 2013 rose 1/4 to £102 1/4, while at the shorter end, Treasury 8 per cent 2000 fell 1/4 to £104.

FTSE 100: Shares were firmer at midday, with the Dow Jones industrial average adding 22.05 points to 5,178.90.

MAJOR INDICES

New York (midday):
Dow Jones 5178.90 (+22.05)
S&P Composite 619.56 (+2.08)

Tokyo:
Nikkei Average 10226.78 (+40.14)

Hong Kong:
Hang Seng 9335.17 (+28.44)

Amsterdam:
EOE Index 491.27 (+0.89)

Sydney:
ASX 2204.9 (+18.8)

Frankfurt:
DAX 2272.8 (+5.32)

Singapore:
Straits 2145.89 (+2.17)

Brussels:
General 1875.76 (+36.00)

Paris:
CAC 1849.59 (+4.70)

Zurich:
SIX 706.50 (+3.33)

London:
FT 30 2641.1 (+14.0)

FT 100 2622.1 (+22.1)

FTSE Mid 250 2528.0 (+3.7)

FTSE-A 350 1807.9 (+4.0)

FT-SE Europe 100 1468.23 (+0.64)

FT-A All-Share 1781.53 (+4.15)

FT Non-Financials 1874.42 (+2.85)

FT Financials 1150.1 (-0.03)

FT Govt Sec 95.86 (+0.29)

BURSA 31643

SEMI 1013.8m

US (Dollars) 191.77 (+0.74)

US\$ 1.5340 (+0.0003)

German Mark 2.2156 (+0.0028)

Exchange Index 62.8 (+0.3)

Bank of England official close (p.m.)

LECU 1.1786

ESD 1.0317

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Anti-nuclear movement

AS the launch day for the Government's sale of the nuclear industry draws closer, the impression is taking shape that British Energy is not so keen on nuclear power. Yesterday, the company took a hard look at the energy market and scrapped plans for two nuclear stations. British Energy — whose generic name-tag suggests something other than eight nuclear plants — is being privatised in a world of falling electricity prices. It has therefore decided that the current outlook does not justify building expensive monuments to British engineering. The cash saved and depreciation forgone will make British Energy more attractive to investors.

Subjecting cosseted state industries to the rigours of the market is the policy but the blast of cold air tends to remove the public relations cobwebs in the process. The nuclear industry

was developed in an age when technological goals were deemed to be a sufficient justification to invest: electricity prices were managed and fuels did not compete. The recent collapse of gas prices has demonstrated how competition can queer long-term investments and hurt cash flow.

British Energy makes electricity using expensive assets whose ultimate cost on decommissioning is not fully known. Gas is becoming cheaper and will continue to do so as pipelines link Britain through Europe to North African and Siberian supplies as well as the North Sea. Success in supplying electricity to commercial customers and the pool therefore depends on access to cheap generating capacity: the next bit of news from British Energy should therefore be an investment in a combined-cycle gas plant.

Airtours

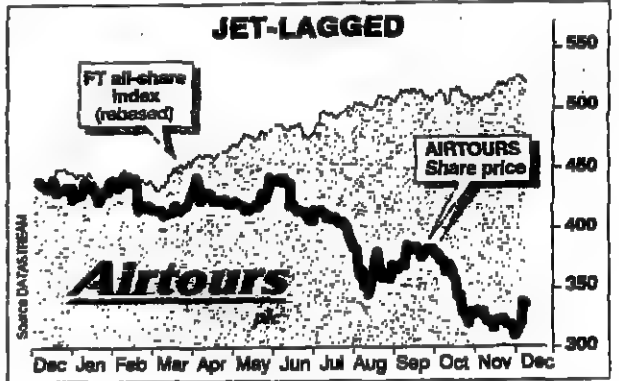
AFTER last year's dismal performance, the ambition of Airtours to earn as much overseas as it does at home is looking less far-fetched, but the company is still a long way from its target.

Tour operators are down on bended knee to their shareholders, begging for another chance after the disastrous summer of 1995 when customers spurned Greek island holidays in favour of a fortnight's sunshine in Bognor. This time, capacity has been cut by 14 per cent and operators hope that fewer holidays and normal weather will allow a narrow margin of £20 per passenger instead of last year's skin-of-your-teeth return of £9 per passenger. Success will depend on the industry's willingness to hold the line, but there are

signs — aircraft availability

next season — that the reductions in capacity are genuine. On the negative side is the current level of bookings: reservations for summer holidays are 26 per cent down and Airtours itself is 39 per cent below last year's figure, although it attributes the fall on the timing of the release of last year's bro-

chure. The real challenge is to drag this industry to an acceptable level of profitability by persuading the public to pay more for a better product. The increase in long-haul traffic suggests the consumer is willing, but it will take more than one good summer to transform tour operator shares into a reliable investment.



National Grid

THE offspring of 12 somewhat egotistical parents, the National Grid turns out to be a remarkably dull product of a stable upbringing.

During its five years as a privatised company controlled by the Reg. Grid worked hard to cut costs and provide a solid dividend return. Its new owners are promised continued dividend growth for the next few years and the Grid is expected to continue its efforts to generate cost savings.

Investors seeking excitement should look elsewhere. There is little reason to believe that the Grid will change in character over the coming years: the Government's golden share rules out a takeover and with gearing at more than 90 per cent, there is little scope for raiding the balance sheet in the manner of the Regs, by replacing cash with borrowings. The company will also have to cover the full cost of a

tighter regulatory framework after next year's review. Its non-regulated division, Energia, the telecommunications network, has proved to be a disaster. The Grid will seek help in turning the subsidiary around, but profits from that quarter look distant.

Existing shareholders may find stability and reliable dividends enough reason to hold on to their Grid shares, but the stock offers little to new investors.

Alders

ALLDERS management is right to shift the emphasis of its attention from expansion to consolidation.

Last year's rapid growth required investment of £40 million — more than the sum of the previous three years. The resulting empire is proving hard to handle as evidenced by yesterday's lacklustre results and cautious statement by the board.

Having made two profit warnings since the summer

City analysts are becoming accustomed to downgrading their forecasts. Yesterday the red pencils were active again and a further few million was knocked off predictions.

The company has been hit by large start-up costs for new duty-free outlets, made more burdensome by sales falling to meet projections. Its department stores fared little better in tough competition and the general retail malaise.

In a bid to revive profits, management is pushing for sales rather than a cost-cutting drive for margin. But the prospects for an upturn in the short-term are limited: the company warned that external factors, such as the Schengen agreement, may hurt the business.

Further out, recovery prospects may become more appealing but given the short-term problems and challenges the shares look fairly priced.

EDITED BY CARL MORTISHAW

COMMODITIES			
LONDON COMMODITY EXCHANGE			
Dec	Jan	Mar	Apr
Cocoa	900-910	910-920	920-930
Oil	94-96	96-98	98-100
May	96-98	98-100	100-102
Jun	98-100	100-102	102-104
Jul	100-102	102-104	104-106
Aug	102-104	104-106	106-108
Sep	104-106	106-108	108-110
Oct	106-108	108-110	110-112
Nov	108-110	110-112	112-114
Dec	110-112	112-114	114-116
Volume	230		
ROBUSTA COFFEE (C) M/T			
Dec	Jan	Mar	Apr
Arabica	245-255	255-265	265-275
May	265-275	275-285	285-295
Jun	285-295	295-305	305-315
Jul	305-315	315-325	325-335
Aug	315-325	325-335	335-345
Sep	325-335	335-345	345-355
Oct	335-345	345-355	355-365
Nov	345-355	355-365	365-375
Dec	355-365	365-375	375-385
Volume	1108		
WHITE SUGAR (C) M/T			
Dec	Jan	Mar	Apr
Raw	305-315	315-325	325-335
May	325-335	335-345	345-355
Jun	345-355	355-365	365-375
Jul	355-365	365-375	375-385
Aug	365-375	375-385	385-395
Sep	375-385	385-395	395-405
Oct	385-395	395-405	405-415
Nov	395-405	405-415	415-425
Dec	405-415	415-425	425-435
Volume	1108		
MEAT & LIVESTOCK COMMISSION			
Dec	Jan	Mar	Apr
Cattle	105-115	115-125	125-135
May	125-135	135-145	145-155
Jun	145-155	155-165	165-175
Jul	165-175	175-185	185-195
Aug	185-195	195-205	205-215
Sep	205-215	215-225	225-235
Oct	215-225	225-235	235-245
Nov	225-235	235-245	245-255
Dec	235-245	245-255	255-265
Volume	1108		

LONDON FINANCIAL FUTURES						
	Period	Open	High	Low	Settle	Volume
FT-SE 100	Dec 95 ..	3657.0	3660.0	3630.0	3657.0	14208
Previous open interest: 30841	Mar 96 ..	3659.0	3670.0	3659.0	2697.0	10673
FT-SE 250	Dec 95 ..				3693.0	0
Previous open interest: 3668	Mar 96 ..				3785.0	0
Three Month Sterling	Dec 95 ..	93.82	93.83	93.50	93.81	8841
Previous open interest: 403579	Mar 96 ..	93.81	93.82	93.68	93.80	2758
	Jun 96 ..	93.83	93.85	93.91	93.82	3007
Three Mth Eurodollar	Dec 95 ..				94.23	0
Previous open interest: 110	Mar 96 ..				94.60	0
Three Mth Euro DM	Dec 95 ..	96.08	96.10	96.07	96.09	12541
Previous open interest: 97373	Mar 96 ..	96.07	96.07	96.04	96.08	11758
Long Gilt	Dec 95 ..	110.30	110.31	110.26	110.30	2168
Previous open interest: 150861	Mar 96 ..	110.41	110.43	110.07	110.40	224
Japanese Govt Bond	Mar 96 ..	122.10	122.25	122.10	122.20	1587
	Jun 96 ..				120.74	0
German Govt Bd Bond	Mar 96 ..	98.72	99.01	98.68	98.99	54794
Previous open interest: 145333	Jun 96 ..	98.69	98.94	98.70	98.87	2752
Three month ECU	Dec 95 ..	94.58	94.60	94.57	94.58	322
Previous open interest: 2144	Mar 96 ..	94.60	94.63	94.50	94.61	398
Euro Swiss Franc	Dec 95 ..	95.81	95.86	95.71	95.82	2254
Previous open interest: 54111	Mar 96 ..	96.04	96.11	96.03	96.10	3598
Italian Govt Bond	Mar 96 ..	106.52	106.58	106.00	106.57	23516
Previous open interest: 48367	Jun 96 ..				105.67	0
MONEY RATES (%)						

THE TIMES CITY DIARY

Over-fifties show how

FORGET the teenage whiz-kids who make a fortune from hi-tech gimmickry in a few short years: a new report shows those companies set up by the over-50s have a much greater chance of success. While only one in five companies set up in 1988 has survived, seven out of ten started by the over-50s are still going strong. One of the reasons was that they were less likely to borrow, which is a shame for NatWest, sponsor of the research by Warwick University Business School.

Salomon style

AS anyone familiar with the Guinness trial knows, there is life after scandal. The latest rehabilitatee is Christopher Fitzmaurice, a Salomon Brothers bond trader who was suspended when the Treasury-auction bidding scandal hit the firm in 1991, costing it \$290 million in reparations. Paul Mozer, Fitzmaurice's boss, left Salomon, while an internal report found that Fitzmaurice knew of at least two unauthorised T-bond bids, even though it uncovered no evidence of wrongdoing. But that was then. Last Friday he was elevated to managing director level on the government bond trading desk.

Inter cider

MERRYDOWN, seeking novel ways of beefing up the bottom line in a drinks market awash with cider, has struck lucky not once but twice. Its Two Dogs alcoholic lemonade sold by the bucketload at the height of the balmy summer. Now the company is cutting a dash on the Internet, with no fewer than 33,000 people downloading Merrydown's pages in one month and more than 11,000 taking part in an associated game. The pages, titled *The Dark Side of the Country*, depict an enigmatic world, set in the spooky countryside at dusk, with nearly 13 million different combinations of sounds and images available.



From the heart

SIR RICHARD Lloyd, chairman of Vickers and deputy chairman of Hill Samuel, looks every part the long-distance runner, despite having just celebrated his 67th birthday. But he would be first to admit he has been deskbound for too long to run 26 miles around London next April. He is giving away the place in next year's Flora London Marathon he automatically receives in his other role as president of the British Heart Foundation. The search is now on for a younger runner prepared to raise money for the foundation. With an estimated 30,000 more applicants than places for the marathon, there should be no shortage of volunteers.

Timely ditty

WHAT a poetic lot. The City Diary is knee-deep in ditties. Craig Shuttleworth, of Gouldens, the City solicitor, is timely with his thoughts on accountancy: *The big accountant's partners flee From unlimited liability Even so they'd best beware They all can't hide in Delaware.*

City relishes many a happy return on mega-deal revival

Patricia Tehan predicts a season of plenty for investment banks and City advisers

After a six-year absence, the mega-deal has returned to boost the coffers of City investment banks and substantial bonuses will be paid next year to the corporate financiers who worked on the deals.

Last year, UK public and private mergers and acquisitions totalled an estimated £69 billion. That will bring in fees of about £950 million to the teams of investment banks, stockbrokers, accountants, lawyers and public relations advisers, according to Philip Healey, editor of *Acquisitions Monthly*. That compares with the last peak in activity, in 1989, when takeovers and mergers worth £45.5 billion were completed, bringing in fees of £800 million.

Barings, the merchant bank rescued in March from administrators by ING, the Dutch banking group, has been one of the best performers, working on the City's highest-profile deals. Its mandates included advising Wellcome on its £9 billion takeover by rival Glaxo, and advising Lloyds Bank on its £1.8 billion acquisition of Cheltenham & Gloucester Building Society, and, more recently, its proposed £13.6 billion merger with TSB.

Both deals were on the go when Barings collapsed in February after Nick Leeson ran up £830 million losses in futures and options in the group's Singapore office. The entire Barings team moved into Wellcome's offices and ran their defence from there, away from the distractions of negotiations over the bank's future in Bishopsgate. As a result of action such as this, Barings's client base remained loyal, and it went on to win a big share of the flood of work that has come in since then.

Its bonus pool this year could be up to £30 million, after generating fees of £50 million. Andrew Tuckey, the deputy chairman of Barings at the time of its collapse, will receive at least £100,000 in consultancy fees. That package may grow by up to £400,000. He advised Lloyds over C&G.

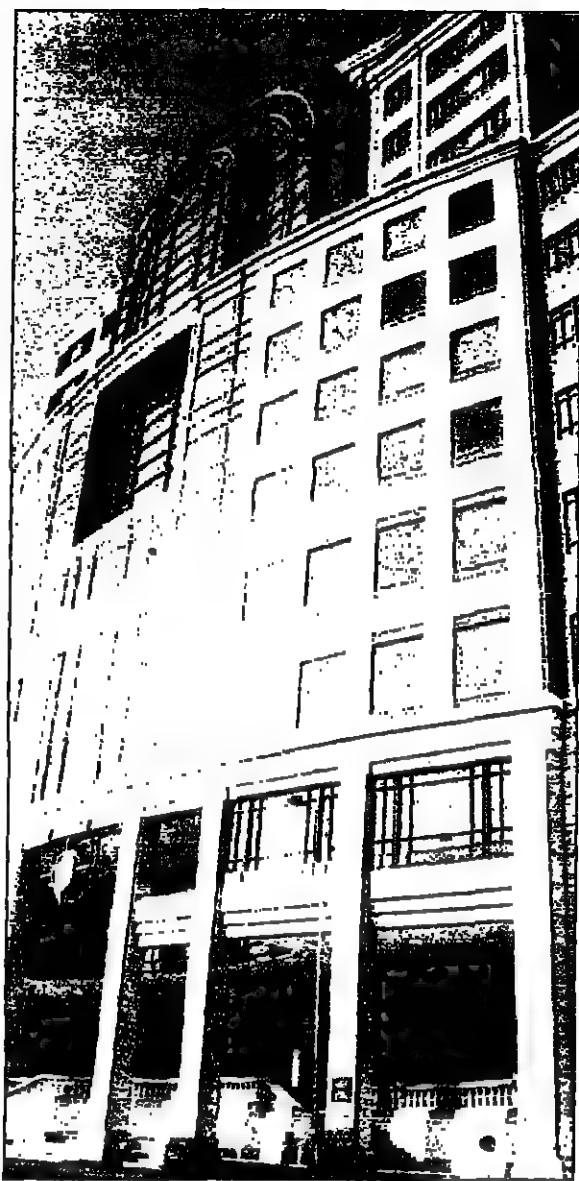
The City banks are also taking a large chunk of continental European merger and acquisition work, which is why US investment banks have been extending their presence in London.

Mr Healey said that J.P. Morgan, which brought Lloyds and C&G together and is advising TSB on the Lloyds deal, as well as its US rivals, Goldman Sachs and Morgan Stanley, were all extremely active this year.

One banker said that although corporate financiers will enjoy fat bonus cheques for this year's work, "it is not going to be a bumper year for bonuses in the way that 1993 was for the City. Everything was firing in 1993. Investors were looking for a home for their money big time. Issuers were issuing, and the bond and equities markets were having a bull year."

In 1993, booming stock markets worldwide brought record bonuses to dealers in the City. The US banks were the big payers, with, for example, 70 executives at Goldman Sachs receiving at least \$1 million each and 161 partners receiving a minimum profit share of \$5 million each. Many were able to double their salaries. Last year, it could not have been more different. Turnover in the equity and bond markets depressed profits, forcing firms to cut costs which, for some, meant significant reductions in staffing levels.

This year, banks have enjoyed an improvement in profits after a poor 1994 but business has been far more mixed. Staff at Salomon Brothers, one of 1993's big payers, were last week told that their bonuses would be significantly lower than last year. Poor profits mean that the discretionary part of their pay will be cut by at least 20 per cent. Some would suffer an even



ING BANK



Beneficiaries of the mega-deal: (clockwise) Barings Bank's former deputy chairman Andrew Tuckey returned as a consultant when ING Bank took over after the Leeson affair. Tuckey advised Lloyds over C&G, a deal sealed by chiefs Andrew Longhurst (C&G) and Sir Brian Pitman. Barings also played a key role advising Lloyds's Sir Robin Ibbotson in the deal with Sir Nicholas Goodison and TSB

greater fall in their bonus payments. An investment banker said that anyone working in the bond markets would have done better this year than last, but those concerned with derivatives would have been affected by the far lower volumes that followed the Barings collapse and arguments over the way derivatives have been sold between Bankers Trust and Procter & Gamble and between Merrill Lynch and Orange County.

The Glaxo takeover of Wellcome, at £9 billion, was the City's biggest deal, involving Barings Brothers and Morgan Stanley for Wellcome and Lazard Brothers for Glaxo. Next is Lloyds's planned £5.9 billion reverse takeover of TSB, involving J.P. Morgan for TSB and Barings for Lloyds. A much wider group of names has played a role in the current consolidation in the utility sectors, which started this year and will carry on into next. The biggest deal this year, excluding National Power's £2.7 billion bid for Southern Electric, which

lapsed when the Monopolies and Mergers Commission decided to investigate, was Hanson's £2.4 billion takeover of Eastern Group.

SBC Warburg will do well as adviser to Fortis on Granada's hostile £3.2 billion bid for the hotels group, as will Morgan Stanley and J.P. Morgan. Lazard Brothers is advising Granada.

Such huge deals are not put together overnight. Granada had Fortis in its sights for two years. Rhone-Poulenc Rorer, advised by Hambro Magan and Lehman Brothers, is believed to have been following Fisons for three years.

Sir Brian Pitman, chief executive of Lloyds, said that the bank scans possible acquisition targets and had been scanning TSB for many years before the time was right for the two sides to come together.

Investment bankers say next year will be even better. In anticipation, they are hiring aggressively, as demonstrated by Merrill Lynch's recent recruitment of Deutsche Morgan Grenfell's

top two corporate financiers, Guy Dawson, head of corporate finance, and Justin Dowling, head of UK corporate finance. The US investment bank attempted to recruit their colleague, Rory Macnamara, but he was persuaded to stay at Deutsche Morgan Grenfell and made head of UK corporate finance. BZW, Barclays Bank's investment banking arm, brought in Mark Seligman, head of SBC Warburg's advisory business as joint chief executive of corporate finance in July.

It is the first time for five years that investment banks have been recruiting like this. They are assuming that the takeover activity will continue next year and well into 1997.

The prospect of a Labour Government is focusing the minds of companies, says Mr Healey. Cash is available, the economy is picking up, and they are ready to buy rivals and bolt-on businesses that have not fared well in recession and reap the rewards.



A question of priorities

Socialism, Nye Bevan used to say, is "the language of priorities". If so, then Britain's taxpayers should be praying for a socialist government. Measured against Nye Bevan's standard, the failure of the Major Government is easy to understand: the Tories, since 1992, have proved incapable of taking difficult decisions, or to use the managerial jargon favoured by ministers these days, they have forgotten how to prioritise.

Yesterday this message was conveyed with his usual charm and frankness by William Waldegrave, Chief Secretary to the Treasury. Trying to explain to the Commons Treasury Committee why the vaunted Budget spending cuts had resulted in paltry savings of only £3.2 billion, he produced a paper he claimed showed the cuts were really worth £6.8 billion.

Why then was this money not available for distribution in lower taxes? The answer, said Mr Waldegrave, was that more than half of his total cuts was needed to pay for unplanned growth in areas of "unavoidable priority spending". The total of such "priority" spending next year will be £3.6 billion. Some of the new priorities were proudly announced in the Budget — an extra £900 million for education, £600 million for health and long-term care and £50 million for extra police. But what of the remaining £2 billion?

The Chancellor made no mention of the other "priority" departments that he will shower with new money next year: £1.44 billion extra for social security; £130 million for Northern Ireland; £100 million for Civil Service costs; £230 million for local authorities; and £100 million for other departments.

None of this extra spending has ever been mentioned as a priority by the Government, yet here we have far more largesse than for health and education combined. In fact, the biggest beneficiary of this generosity is social security — the very programme the Government always claims to cut.

As Michael Saunders of Salomon Brothers showed last week in a circular aptly

entitled *Social Security — the Cuckoo in the Nest*, social security spending has overshot Treasury limits by at least £1 billion in each of the past four years, even though these limits have been steadily raised. As the paper notes, "benefits have taken a hugely disproportionate share of recent gains in public spending".

Since 1990, "non-cyclical" social security payments — items such as disability payments, pensions and lone-parent benefits — which account for just one-quarter of total government spending have absorbed two-thirds of the total extra resources available. With social security growing like Topsy, there is precious little room to expand other spending programmes, never mind cutting taxes.

This growth has had nothing directly to do with the weakness of the economy, with demographic changes or with the high level of unemployment, all of which have been taken into account in the Treasury's spending plans. The main explanation for the overshoot is the unexpectedly high cost of a benefit introduced in 1992 — the Disability Living Allowance.

The cost of this allowance, which is far more generous than the benefits it replaced, has risen from £3.1 billion in 1994-95 to £3.8 billion this year and is now expected to keep growing by £600 million, or 15 per cent, annually in each of the next four years. By next year, the increase in DLA spending alone will be equivalent to 1p on the standard tax rate.

There is nothing wrong with the Government spending more on social benefits for the disabled and raising taxes to do so, if that is the democratic will. What is odd, however, is that this should be happening under a government that claims to be dedicated to cutting social spending and has unleashed its most right-wing minister — Peter Lilley — to throw teenagers and single mothers off the welfare rolls.

Teenage scroungers are guaranteed to raise jeers at a Tory conference, while the disabled evoke sighs of sympathy. But this is no way to set social priorities or to run a Government. Come back, Nye Bevan, all is forgiven.

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Regulation not working in the interests of the client

From K. D. Boyd

Sir, I did enjoy your indignation at the practices in my profession (Pennington, December 7). In 58 years on this planet, I have yet to discover a profession that acts in its clients' interests.

Accountants preserve their reputation with the Inland Revenue, charge by the hour, but make no undertaking as to performance. Solicitors are happy to litigate, yet handing over power to a third party is fraught with dangers. The British justice system confers no guarantee on a litigant even if he is in the right.

Doctors reach for the prescription pad, doling out poisons as often as cures because that relieves them of immediate pressure. A gentler, softer approach, such as homeopathy, would leave the population healthier but could result in fewer doctors.

The common factor among professions is that the population pays in one way or another. I do not in any way condone the practices which? spelt out, but the financial regulatory regime supports the regulator not the consumer. There is too much of the wrong sort of regulation,

which offers jobs to the regulator, not addresses the real issues. The new regulatory regime was introduced in 1988 and scandals proliferate, not because the regulator knew what he was doing, far from it, but because when cash flow recedes, as in a recession, fraud sticks out.

Here we are in 1995, and all you can say is get tougher. Our profession faces the toughest of regulatory regimes yet old practices continue. Your answer is old remedies, but they too have not worked. It is time to rethink our approach, not to retry discredited concepts of regulation. Isn't insanity repetitive actions hoping for a different result?

Yours faithfully,
K. D. BOYD,
Boyd & Associates,
The Oast House,
Holt Pound,
Farnham, Surrey.

When a merger weighs heavy with shareholders

From J. S. Thomas

Sir, The proposed get-together of the companies RTZ and CRA produced for my wife, who is a very small preference shareholder in the former, a mail delivery of 2lb 6oz of paper in a bursting envelope. There were no less than 353 pages of financial and other

information and a seven-page letter from the chairman trying to summarise it.

Has the business world gone mad? Or is it me?
Yours faithfully,
J. S. THOMAS,
Drovers Cottage,
Groombridge,
Tunbridge Wells,
Kent.

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THE BASQUE COUNTRY

A PARTNER OF PROMISE

10 REASONS WHY THE
BASQUE COUNTRY IS TODAY
AN ATTRACTIVE, UP-TO-DATE PROPOSITION:



A STRATEGIC GEOGRAPHICAL SETTING

A vital link in the communications axis between Lisbon and Stockholm, the Basque Country has Spain's leading merchant shipping port and Europe's deepest docking facilities (32 metres). The region also has three airports, 322 kilometres of motorway and the only direct Spanish connection with Europe's high-speed rail network.



A NETWORK OF INTELLIGENT HIGHWAYS

The Basque Country has a latest-generation microwave network and a broad-band optical fibre trunk network covering 85% of the Basque population and all university campuses and industrial centres.



BROAD BASED DIVERSIFIED POWER INFRASTRUCTURE

Efficiency and savings programmes have enabled the Basque Country as a whole to reduce energy consumption by 14% since 1980. The area currently depends on oil for 36.7% of the energy it needs. Power sources have been diversified in recent years, with

particular attention being paid to natural gas, which has its own gas field and modern distribution network.



SPAIN'S INDUSTRIAL POWERHOUSE

Much of Spain's production in a number of strategic sectors comes from the Basque Country: machine-tools, the automotive ancillary industry, capital goods and the iron and steel industry. The Basque Country is also home to the Mondragón Corporación Cooperativa (MCC), the world's largest industrial

cooperative group, and Iberdrola, Europe's fifth largest power generating company.



INVESTMENT INCENTIVES AND GUARANTEES

Treasury bonds issued by the Basque Government have been given an Aa2 rating by American ratings agency Moody's and AA+ by Standard & Poor's. Of the incentives offered for investment, among the most attractive are the deduction of

20% on fixed assets and new materials and a 40% tax cut on production investments.



TECHNOLOGY RESEARCH APPLIED TO INDUSTRY

The Basque Country has seven Research Centres employing more than 900 professionals: the largest science and technology park in northeastern Spain; engineering firms and other companies involved in international research projects: LHC particle accelerator (CERN-Geneva); the European Space Agency and NASA; the EURECA (European Retrievable Carrier) Platform, currently in orbit and the Polar Platform, in collaboration with the International Freedom Station in Columbus.



ONE OF EUROPE'S LEADING FINANCIAL CENTRES

The Banco Bilbao Vizcaya, Spain's leading bank in terms of the volume of savings managed, the Bolsa de Bilbao, the country's second busiest Stock Exchange, Elkargi, the first mutual guarantee company in Spain, and Luzaro, the country's first mezzanine finance company, are all based in the Basque Country.



HUMAN RESOURCES THE BASQUE COUNTRY'S MOST IMPORTANT RAW MATERIAL

There are two universities in the Basque Country, one of which, Deusto, is Spain's most famous seat of learning. Students can choose from 22 faculties, 8 technical and 3 Higher colleges and schools. The Basque Country also has 172 vocational training centres.



A UNIQUE, AGE-OLD CULTURE

Euskera, the Basque language. Part of mankind's linguistic heritage, Euskera is the oldest language in Europe, a survival from the pre-Indo-European era.



AN UNRIVALLED NATURAL SETTING

The UNESCO recently declared the Gernika estuary a "Biosphere Reserve". According to the 1992 Economic Report on the Spanish Autonomous Communities, the Basque Country has the most complete environmental protection infrastructure in all Spain.



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أنا من الأصل

Michael Knipe introduces a special report on the Basque country. Autonomy from Madrid is allowing it to revitalise its economy

An act of faith in the Basque future

The opening in Bilbao, a month ago, of a £500 million 18-mile long underground railway system, designed with his customary élan by Sir Norman Foster, marked the latest but by no means the final stage in the audacious economic regeneration of the Basque country.

The transparent caterpillar-style canopies of the underground station entrances in the city, which is the industrial and commercial centre of the region, are fast becoming as symbolically Basque as the distinctive beret still worn by some local inhabitants.

Whatever business has been lost because of the problem of terrorism, Basque country residents have no doubt that their future lies in winning greater autonomy from Madrid and promoting the Basque identity abroad. They identify with Europe and talk of Bilbao being at the centre of an Atlantic Arc running from Lisbon to Stockholm and a local point of land, sea and air traffic. Several projects, including early work on the underground railway system and the creation of a technology park at Zamudio, a suburb of Bilbao, began without Vitoria, the administrative capital, waiting for endorsement from Madrid and announced, said one Bilbao-based British businessman, to an act of faith in the future that would not have been possible if the Basque leaders had been dependent on Madrid.

"We are no longer at the mercy of the central government," said Juan Miguel Bilbao, Deputy Minister of Finance in the Basque Government. "We can decide on our own priorities and proceed with them."

And that the Basque Government is most certainly doing. The population of the region is only just over two million. But the authorities have embarked on a programme of infrastructure improvement that, on a per capita basis, makes the lottery-enhanced redevelopment programme in Britain seem positively modest.

In Bilbao itself a huge new public transport service terminal is being built, known as the Abando Passenger Interchange, which when completed will connect rail, local bus, intercity coach and underground services. It will be housed under a 125-metre roof span designed by



One of the distinctive canopies over the entrances to Bilbao's new underground system

Michael Wilford, a partner of the late Sir James Stirling.

The polluted river Nervión, which runs through the city, is being cleaned up and two miles of its derelict docks and railway track are to be pedestrianised. At one end work has already begun on a museum designed by the radically modern Californian architect, Frank Gehry, which will become the European home of the Guggenheim collection. At the other end a

convention and performing arts centre is to be built surrounded by a riverside park.

The port facilities at Bilbao — the largest in Spain — are also being relocated and expanded, enabling it to double its capacity. The extension involves reclaiming some 3.5 million square metres from the sea adding nearly eight kilometres (five miles) of docks and jetties and giving six times the depth of water for shipping. By moving the port

facilities to the enlarged harbour outside the old port, 300,000 square metres of prime land has been recovered in the heart of the city. A third of this is to be set aside for parks and the rest used for a business centre, a new shopping mall, hotel and housing.

Bilbao airport is being enlarged and a new terminal added. A new motorway link between Vitoria and the coastal resort of San Sebastián is being constructed; a network of

technology parks is being established adjacent to the three biggest cities; the gas distribution system is being expanded to tap into gas supplies from France; and a network of fibre-optics is being installed that will provide access to the information superhighway.

The purpose of all this is to revitalise the economic strength of the Basque country — which is still the backbone of the Spanish economy — and to regain for Bilbao some of the glamour and affluence it experienced in the early years of the century when its industrial prosperity brought it one of the highest standards of living in Europe.

Despite its smokestack industrial heritage and the pollution fumes that still, in some parts, pervade it, the Basque countryside consists of green rolling hills, pine forests and craggy mountains, while Bilbao is an elegant city that retains a strong sense of its traditional style.

Bilbao today is conscious of having lost much of its national prestige to Barcelona and Seville and the city authorities are determined to reassert its reputation as an international metropolis, basing it on both the city's newly developed high-tech industrial strengths and its vigorous cultural activity.

The overall cost of all these infrastructure projects has been estimated at £3 billion. The money comes from central government aid, Basque Government borrowing, private-sector investment and funding from the European Union. At its heart is the money raised in taxes, of which, over the past five years, only 7.6 per cent has had to be transferred to the central government for services such as defence costs.



A panoramic view of Bilbao, commercial centre of the Basque country, where thriving businesses have created growth, exports and attracted investment



Helping industry to forge a future

The Basque country, which suffered severely from the effects of the international recession and a need to restructure its traditional industries at the beginning of the decade, is now experiencing a sharp turnaround in its fortunes, Michael Knipe writes.

The region's economy grew by 2.7 per cent last year, outstripping Spain's overall growth rate by 0.7 per cent. Further improvements are predicted this year, with an expected 4 per cent rate of growth. Industrial production grew by 9 per cent last year and the value of foreign trade leapt by 30 per cent, fuelled by the export of manufactured goods and a devaluation of the Spanish currency.

So far, however, economic improvements have had little impact on the unemployment rate, which remains stubbornly at 22 per cent, only slightly less than the overall Spanish rate.

But foreign investment in the Basque country last year was the highest for ten years at \$4,820 million (pesetas (£451 million)), a remarkable 77 per cent increase over the previous year. Most of this — 11 per cent — came from the United States, followed by The Netherlands and then Britain, which invested £34.7 million — 7.7 per cent of the total.

The Basque country has been the industrial powerhouse of Spain for more than 100 years and, despite a reduction by almost half in the steel-processing sector, is still responsible for 80 per cent of the

country's iron and steel production, as well as 70 per cent of its motor vehicle components.

The Acería Compacta de Bizkaia (ACB), a compact steelworks now being built and due to open next year, will be much smaller than its predecessor, the Altos Hornos de Vizcaya (AHV) but will be one of the two most modern compact works in Europe. The Basque export sector are the machine-tool companies, which are responsible for 80 per cent of Spanish production.

Although there are only about 90 machine tool firms in the Basque country, with another 200 smaller specialist sub-contractors, the region is the world's 12th largest producer of machine tools, sending exports to 120 different countries. Per capita, the Basques are second only to Switzerland.

Machine-tool production acts as a bellwether for industrial activity, falling sharply in recessionary times and expanding rapidly when the economic climate changes. The Gulf War and the collapse of the

communist regimes in Eastern Europe led to world production of machine tools falling from £31 billion to £19.2 billion between 1991 and 1994. In that period, Basque production fell by 50 per cent. But this year it has increased by 37 per cent and a similar rise is expected next year.

"We Basques have several

From recession to rebirth, steel and tool-making to aircraft and automation

strengths as machine tool-makers," said Alberto Ortueta of the Spanish Machine Tool Association. "We have specialist knowledge built up over generations, we don't neglect research and development, we know how to export our products and we like making machines. It tends to be a vocational industry and runs in families."

The machine-tool industry typifies how the Basques are trans-

forming traditional industries by introducing sophisticated high-technology expertise. And while modernising heavy industries, they are diversifying steadily into newer, high-tech industries such as electronics, communications, biotechnology and aviation.

Central to this process has been the creation of seven technology centres specialising in research and development in areas such as design and manufacturing, metallic and non-metallic materials, telecommunications and data processing, and the development of technology parks in pleasant surroundings conveniently close to the built-up areas of Bilbao, Vitoria and San Sebastián.

The purpose of the parks is to promote technological and business innovations, and to encourage the development of cluster groups which can share expertise. One of the parks is spread over 370 acres in the town of Zamudio, just outside Bilbao. When it opened for business in 1989, the first company to move in was Industria de Turbo

Propulsores (ITP), a company partly owned by Rolls-Royce, which manufactures aeronautical components.

It was soon joined by Gamesa Aeronautica, which assembles the wings and fuselages of the Brazilian Embraer EMB 145 aeroplane, and Israel Aircraft Industries' Astra executive jet. It has just signed a contract to assemble Canada's Sikorski 592 helicopters and is in the process of doubling its investment at Zamudio.

By the end of the decade the Basque authorities believe that the cluster of aeronautics plants led by Gamesa and ITP will have a workforce of 10,000 and a turnover of 100 billion million pesetas.

There are now 47 companies — 30 of them financed from abroad — involved in technologically advanced operations at the park. Among them is the European Software Institute.

Federico Bergareche Zurimendi, the president of the park's administration, said it sought companies involved in electronics, optoelectronics, telecommunications, industrial automation, environmental, energy or information technologies, particularly those which are active in research and development.

Generous incentives were offered, he said, to foreign investors by way of tax relief and support for job creation, vocational training, and research and development projects.

Ancient language that refuses to die



A link with history: Basques have refused to give up their language

The percentage of the population that spoke Basque in the three provinces which make up the autonomous Basque region of Spain rose from 21.5 per cent to 26.3 per cent between 1981 and 1991, according to Basque regional authorities.

In the same period the percentage of those who had a working knowledge of Euskera, but not complete fluency, rose from 14.5 per cent to 19.8 per cent. Significantly, in that period, Basque-speakers in the 5-19 year age group began to overtake the percentage of Spanish-only speakers, although more people still use Spanish than Basque.

José Luis Lizundia, the vice-secretary of the Academy of the Basque Language, said: "A lot more people know how to write in Euskera who could only speak it before. The number of people who are literate in Euskera — who can read and write — has increased considerably."

It is not unlikely that the people who decorated cave walls with religious motifs and hunting scenes at Altamira and numerous other prehistoric caverns along the coasts of the southeast corner of the Bay of Biscay spoke Basque.

Of course, if they did, not even a time machine would be enough to allow them to communicate with modern Basques. The language

Harry Debelius on the tenacious survival of Euskera

would have evolved too much over the millennia.

Although there is no hard proof to back up speculation about Basque-speaking cave-men, the language is recognised as being the oldest language in Europe. Its origins are lost in time and it is the only one in Europe that does not belong to the Indo-European family of languages.

Cro-Magnon man lived in that corner of the bay 40,000 years ago, and he is thought to have evolved into Basque man about 7,000 years ago. Judging by inscriptions and place names, the Basque language was in use about 6,000 years ago across a broad expanse of what is now northern Spain.

More surprising is the fact that Euskera is far from being a fossil today. Even Franco's attempts to stamp it out did not accomplish that purpose. If anything, they stimulated the use of the "secret" language in the homes and private meeting places of the Basque country.

Seven herrialdes (adjoining terri-

ories or provinces on both sides of the French-Spanish border) make up Euskal Herria ("the Basque-speaking country"). They are Alava, Vizcaya, Guipuzcoa and Navarra in Spain, and Lapurdi, Zuberoa and Benaflorria in France. These herrialdes have remained culturally united for centuries, thanks primarily to the language they share.

For a minority language to survive in an area of reduced dimension, said Señor Luis, it must have at least the benefits of official use (whether optional or obligatory) and a favourable social atmosphere. Euskera has those benefits now, he said. "I can get seven channels on my television, and one of them at least is in Euskera. I can choose which language I want to listen to."

Stressing the importance of what he called "officialisation" for the survival of a language, he cited the Philippines, where Spanish was spoken until 1988, when the islands came under American control and English became the official language. "All that's left of Castilian now is the family names," he said.

He added: "The administration is doing much more to promote our language than in the past."

"You could say Euskera was in the intensive care unit but now it has been moved to a regular hospital ward."

A grasp at the chance for a lasting peace

Firm coalition aims to bolster regional autonomy with arguments, not bullets

One of the great achievements of José Antonio Ardanza, the lehendakari or regional president of the autonomous Basque country — which the Basques call Euskadi — is that since his Basque Nationalist Party (PNV) was re-elected with a minority a year ago, he has put together a strong three-party coalition.

"Euskadi has been given political stability," says a senior source in the Basque Government. "The lehendakari obtained a tripartite accord that put a security curtain around the Basque region, and it is now being governed with cohesion."

After the death of the dictator General Franco 20 years ago, the new Spanish Constitution of 1978 established the right to autonomy of all nationalities and communities that make up the Spanish nation. "I shared my party's view in not approving the Constitution but later we always said we respected it," says Señor Ardanza, explaining that the PNV wanted the Basques' former powers restored.

Under the Statute of Guernica, ratified in a referendum, the Basques have been granted more powers of self-government than any other Spanish region.

The raising of taxes is once again done by the traditional *fueros*, the assemblies in three Basque provinces: Alava, Guipuzcoa and Vizcaya. Two thirds of the funds raised go to the regional government, the balance is shared between the provinces and town halls.

In addition to fiscal matters, the Basque parliament is now responsible for education, health, culture, housing, industrial development, the police force (the *Ertzaintza*) and the Basque language radio and television stations.

In October 1994, in the fifth regional elections since Euskadi gained autonomy, the Christian Democrat Basque Nationalist Party (PNV) returned 22 deputies to the 75-seat parliament, and a coalition government was formed with the Basque socialist party (PSE-PSOE), and the nationalist Eusko Alkartasuna (EA).

After more than ten years as lehendakari, Señor Ardanza, now 54, took the helm again, saying: "Society says it likes me because I am a tolerant, open, honest and straightforward man, open to dialogue."

He was born to a working-class family in Elorrio, speaks fluent Basque and worked as a lawyer. A close aide says the main objectives of his government are to take advantage of the improving economic situation, develop the Statute of Guernica and advance the peace process.

Señor Ardanza admits the Basques have gained more transfers of power than any other region in Spain. But he urgently wants to see transfers from Madrid of labour and

social security responsibilities. He also wants the central government's official blessing to start negotiating direct with the Eita terrorist organisation. In 34 years of violence in the name of Basque separatism, 75 have been kidnapped and hundreds of businessmen forced to pay "revolutionary tax", in addition to the 800 who have died. Only recently, after co-operation from France and important arrests, have the killings become sporadic.

The PNV wants to make peace with Eita but at present, under an all-party agreement, negotiations can only be initiated by Madrid. Yet with central government currently facing a judicial investigation into who organised death squads that killed 27 Eita suspects a decade ago, the time is hardly propitious.

A Basque government official says: "Only Eita wants to negotiate with Madrid because for them, the conflict is one between Euskadi and the Spanish people. But the heart of the matter is the inability of these separatists to recognise that Basque society is



Unifier: José Antonio Ardanza

plural. The problem is agreeing to live together in Basque society."

The PNV's stance is that the Basque country has been voting democratically since 1979, and a huge majority is in favour of the existing statutory form of autonomy, rather than full independence. But with unconfirmed reports that the PNV is already talking to Eita, the PNV peace plan could run into major opposition next year.

The centre right Popular Party (PP) is predicted to win a general election expected in March. Last January Gregorio Ordóñez, the PP deputy mayor of San Sebastián, was shot dead by Eita.

In April José María Aznar, the Popular Party's candidate for Prime Minister, survived a bomb attack in Madrid. He is vehemently opposed to PNV's proposal to release convicted Eita terrorists from prison as part of any peace deal. This could lead to more violence.

EDWARD OWEN

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■ VISUAL ART 1

The first major British show of Nolde's work pays belated homage to a master of Expressionism



■ VISUAL ART 2

You don't have to believe in fairies... to enjoy a display of spirited Victoriana

THE TIMES
ARTS

■ VISUAL ART 3

A mass-produced look, but all done by hand: Siobhan Hapaska's sculptures go into the ICA



■ TOMORROW

What have they done to Offenbach? Rodney Milnes gives his verdict on ENO's *La Belle Vierge*

Richard Cork applauds the first British retrospective devoted to Emil Nolde; plus fairy art and other exhibitions

Expressions of a restless imagination

Although Emil Nolde has long been ranked among the finest German painters of the 20th century, his reputation in Britain remains uncertain. Until recently, this country's traditional dislike of Expressionism counted against him. He was regarded as far too wild and discordant, a barbaric dreamer with an alarming enthusiasm for grotesque subjects. Nolde's affiliation with the Nazi party exacerbated the problem, and to this day the Tate Gallery owns only one of his paintings.

The arrival at the Whitechapel Art Gallery of his first British retrospective offers an excellent opportunity to make amends. For the truth is that Nolde could be a marvellous artist. I first capitulated to his fiery brilliance as a colourist a quarter of a century ago, at a Marlborough Gallery show of his superb watercolours.

Nolde is usually in top form on paper, where he displays complete mastery of his medium. But the Whitechapel survey proves that he was, at best, a formidable manipulator of oil paint as well.

Moreover, he often seems close to the concerns of major British artists. Nolde's turbulent and gustily handled seascapes have much in common with Turner, while his brutally impressionistic approach to the figure reminds me, at times, of Francis Bacon.

He is an unmistakably Nordic artist, rooted in the bleak marshland area of Schleswig-Holstein, between the Baltic and the North Sea. His first studio was a wooden hut on a beach, remotely positioned on the island of Alsén. The year was 1903, and Nolde was already in his mid-30s.

In view of his later impulsiveness with paint and prolific output, his early reluctance to become a painter may seem strange. He spent several years as a woodcarver and draughtsman in furniture factories, before teaching ornamental drawing at a Museum of Industry and Crafts. Only at the age of 30 did he

commit himself to the life of an independent artist, attending a private art college in Munich.

But he soon made up for his hesitancy. Indeed, the rashness of Nolde's work may stem, in part, from a realisation that he had no time to lose. The earliest painting in the show, *Before Sunrise*, proves that even in 1901 he was ready to explore a fantastical world with headlong brushstrokes. Dominated by the apparition of an airborne beast, hovering between cliffs and the churning water far below, it is a shadowy picture with little hint of the chromatic fireworks to come.

Nolde's imagination was possessed, at this stage, by mythological apparitions. Solitude would always be vital to him, and throughout his career he longed to escape from the modern world into an elemental realm peopled by sun-worshippers and nocturnal wanderers. At the same time, though, he

was alive to the most innovative and fiercely contested developments of his period. When some fledgling Expressionists formed an insurrectionary group called Die Brücke, they invited Nolde to join them in 1906. Although considerably older than the other members, who included Ernst Ludwig Kirchner and Erich Heckel, he was regarded as one of the most audacious artists in the German avant-garde.

Just how challenging his work could be is demonstrated at the start of the exhibition, on the white wall where *Wildly Dancing Children* hangs. It is an organic work. Nolde's starting-point lay in some sketches he made in 1908, of local children dancing "rings-of-roses". Their movements were probably innocuous enough, but Nolde injected the whirling figures with a sense of extreme agitation. By the time he painted this heated picture a year later, all his inhibitions had dropped away. The children are transformed into frenzied dervishes, and the violence of their blood-red limbs prompts a distant observer to recoil in alarm.



In *Evening Landscape, North Friesland*, a watercolour on paper, Nolde displays his usual "complete mastery of the medium". But he was also a master of oils

Nolde's handling of pigment is equally reckless. The marks are applied so freely that they threaten to break the figures up into a blizzard of colour patches, almost detached from any representational role.

The fervency in *Wildly Dancing Children* never left Nolde. He did, however, withdraw from his radical dissolution of form. Despite his appetite for experiment, Nolde never became an abstract artist. He was passionately immersed in the visible world, even though his work constantly attempted to go beyond surface appearances in search of some primordial, underlying reality. Dance provides the exhibition with one of its most rewarding themes, and it enabled him to move further away from contemporary German life. In an ecstatic painting of 1912, two bare-breasted women throw their agile bodies around a cluster of flaring candles. They look demonic enough to be oblivious of

burning themselves in the flames, and Nolde's daring decision to juxtapose pink against scarlet heightens their delirium still further.

Nolde loved dancing. He gained enormous stimulus from watching performers in Berlin cabarets, and he also studied Indian dancing during his Gauguin-like journey to the South Seas in 1913-14. There his fascination with the so-called primitive vitality of non-Western cultures was confirmed. As he grew older, though, the figures hurling their limbs across his canvases grew more solid. The *Dancing Girls* of 1925 are bulkier than before. Their mask-like faces, gashed by distended eyes and smeared mouths, may have all the old wildness, but their bodies are modelled in an almost sculptural way, as if Nolde had been looking at late Renoir nudes and Picasso's women at their most massively neo-classical.

Apart from this search for greater monumentality, though, Nolde's art changed astonishingly little. None of the seismic stylistic shifts fracturing Picasso's career disrupts Nolde's remarkable consistency. Just as he favoured medium-size canvases, so he avoided the restless pursuit of different approaches which spurred so many modernists. This refusal to deviate from long-held aims went hand in hand with an enduring love of north Schleswig, where he bought a farmhouse in 1912. Hence his distress when the area became part of Denmark in 1920. His rural antiquity threatened by drastic drainage constructions.

Nolde moved back to Germany, designing the house in Seebüll where he lived until his death. His love of nature probably contributed to the lamentable decision. In 1934, to join the local co-operative of the Nazi party. But his motives remain unclear, and he soon found himself

branded as a "degenerate" by Hitler's vicious campaign against the avant-garde. After the destruction of a number of his works, he was forbidden in 1941 to paint or sell. Retreating to the isolation of Seebüll for the duration of the war, he produced about 1,300 Unpainted Pictures on small, easily hidden fragments of Japan paper.

During those difficult years, when the ageing Nolde was reduced to the status of a criminal, he still managed to retain his former strength as an artist by pulling together all his themes in a grand synthesis. He had, in a sense, been preparing himself for this lonely ordeal for a long time. Many of his earlier landscapes show a house marooned in flat, desolate and hostile surroundings. Its presence is about to be obliterated, either by storm-clouds or the close of day. But Nolde often finds an unexpected magnificence in this moment, when a final rush of light saves the

scene from extinction. He was able to emulate the sun's defiance during the years of exile, somehow ensuring that a similar source of energy kept his art alive.

After the war, Nolde lived on for another decade. A moving note of late resolution arrives in 1948, with a luminous painting called *Bright Sea*. Unlike so many of his earlier seascapes, the water here is calm. Purple-black smoke erupts from one side, where a distant vessel moves past. But this angry smudge of pigment cannot, this time, mar the placidity of two white sailing-boats in the centre. They give the entire image a sense of stillness, and the large expanse of sky above them is filled with a soft, pale-yellow radiance. This is painting as benediction, the work of an octogenarian artist finally able to put convulsiveness behind him.

Emil Nolde at the Whitechapel Art Gallery, 80 Whitechapel High Street, E1 0171-532 7878 until Feb 5

Sprightly scenes and a range of elf portraits

Romantic fantasies about fairies were so imprinted during the 19th century — Victoria herself was ironically nicknamed the Faerie Queen — that later even Sir Arthur Conan Doyle was convinced of their existence by a photographic hoax. Now goblins and flower fairies and flying elves are enjoying a revival in Peter Nahum's exhibition, alongside works by Dante Gabriel Rossetti and Sir Edward Coley Burne-Jones.

"High Victorian art has become acceptable again, so people are more relaxed about fairies," says Nahum. "They can admit to more than just liking Arthur Rackham for the sake of the children. And fairies translate well into different cultures."

Fifteen years ago Nahum was chiefly responsible for the re-evaluation of the mad fairy artist Richard Dadd, whose oil painting of an argument between Oberon and Titania more than doubled the auction record for any Victorian picture at £500,000 and was then resold for three times as much. Since then, a fairy museum has been opened to more acclaim in Japan, and a fairy picture show is planned for America and Scotland.

This exhibition, *A Century of Master Drawings, Watercolours and Works in Egg Tempera* includes *Flight by Night of Bats and Elves* by Dicky Doyle, a painting which in 1885 changed hands for the then large sum of £42. Doyle was among the best fairy painters because, as in this elfin escapade, he didn't take his subject too seriously. He was on the staff of *Punch* for years, but fell out with the magazine and turned to fairy



A watercolour of fairies playing, by Lady Murray

illustration, populating some pictures with hundreds of fairies at a time.

Fairies were first popularised by Sir Joshua Reynolds and Henry Fuseli at the instigation of London print dealer John Boydell, in 1787. Boydell commissioned them to paint scenes from Shakespeare's plays from which he could then sell prints. Both artists were inspired by A Midsummer Night's Dream; the pictures that resulted, and the prints, were a huge success.

Goblins, one of Laurence Housman's rare pen-and-ink illustrations for Christina Rossetti's *Goblin Market*, is a striking example of how this 1890s book designer and illustrator with a self-professed "freakish imagination" outdid his famous Pre-Raphaelite rival, Christina's brother, Dante Gabriel Rossetti had previously illustrated Christina's poem, but Housman's interpretation was hailed as the masterpiece.

Among the female fairy artists is Jessie Marion King. She exhibited with other Glasgow artists in Vienna at the beginning of this century and

influenced Secessionists such as Gustav Klimt. Her depiction of Halloween in pen and ink and gold paint has the airy and exotic quality that has made her one of the most sought-after fairy artists to date.

Jane Oswald, Lady Murray, better known as Emily, was, on the other hand, born to be a fairy painter. She grew up on the Isle of Man, otherwise called the Fairy Isle, and her birthplace was Port-Chee, which in Manx Gaelic means Fairy Music. Her paintings are exquisite, those exhibited probably once part of a keepsake album dating from the 1820s. Like Beatrix Potter, she was prolific until she married and moved to Scotland, never to pick up a brush again. But her pictures have increased in popularity since the Manx Museum featured her work in a major show eleven years ago.

ALISON BECKETT

A Century of Master Drawings: Peter Nahum at The Leicester Galleries, 5, Ryder Street, London SW1 (tel: 0171-930 6059). Until December 22

AROUND THE GALLERIES: RECOMMENDED EXHIBITIONS IN LONDON AND AMSTERDAM

Although there are now several commercial galleries around the West End exhibiting first-rate art from the Far East, we have relatively few opportunities to see Indian artworks of comparable quality. This is no doubt part of the point in staging a show like *Sculpture from a Sacred Realm*, currently at Rossi & Rossi. One thing that these 24 sculptures, ranging in date from the 2nd century BC to the 3rd century AD, vividly demonstrate is the essential unity of classic Indian art, whichever of the three main religions immediately inspired it. The same sculpture workshops toiled quite happily, it appears, for Hindus, Buddhists and Jains, and it is often impossible for the untutored eye to work out to which group any particular piece belongs.

Rossi & Rossi, 91c Jermyn Street, SW1 (0171-321 0208), until December 22

Many artists beside Toulouse-Lautrec in late 19th-century Paris dabbled in poster art and illustration for popular magazines of the period. There is often confusion about how exactly these works were produced or reproduced: Stoppenbach and Delestre's drawings for Gil Blas should help to dispel it. As reproduced in the magazine, the drawings are described as lithographs. Here the gallery has assembled 20 of the original drawings in coloured chalks and ink, subjects usually humorous or satirical, brightly evocative of high life and low. These are juxtaposed with the magazine versions, so that one can see just how flattened and simplified the details of draughtsmanship and colour treatment become in the process of reproduction.

Stoppenbach and Delestre, 25 Cork Street, W1 (0171-734 3534) until Saturday

Even when making recognisable vases and beakers and bowls, Elizabeth Raeburn has always been one of the most painterly of potters. The effect is emphasised in her latest exhibition at the Galerie Besson, which does include some variations on the traditional shapes for pots, but is really dominated by what are called, rather misleadingly, tiles. The reason they are called tiles seems to be that she has been inspired to go in this direction by a commission she recently executed for a ceramic mural in a Taunton hospital, but the pieces in the present show are much more in the nature of pictorial plaques, small paintings of, usually, rather romantic and desolate landscapes, sometimes in monochrome but more often in rich and subdued (though once or twice flaring) colour. The shapes are irregular, and sometimes boldly curving or corrugated; the effect is bold, original, and totally alluring.

Galerie Besson, 15 Royal Arcade, 28 Old Bond Street, W1 (0171-491 1706) until Dec 20

At present there is apparently a Diaghilev festival on in London, though until the major exhibition opens at the Barbican in January one could be forgiven for being unaware of it. However, the Fine Art Society is offering, before Christmas, a delicious *bonne bouche* in the shape of a dazzling show of designs by Bakst and his fellows, Bakst and the Ballets Russes. Its immediate occasion is the publication of a sumptuous new, revised and updated edition of Charles Spencer's classic book of the same title (Academy Editions, £39.50), first published in 1973.

Fine Arts Society, 146 New Bond Street, W1 (0171-629 5116) until Friday

It is good to see the ICA place such faith in a relatively untried body of new work. Siobhan Hapaska has had to work very hard to get her sculptures finished in time for this one-person show in the main downstairs gallery. Despite the super-streamlined appearance, the sculptures were exceedingly labour intensive to produce. It is always difficult to create a mass-produced appearance by hand, and yet these works do look untouched.

There are four pieces in all. Each is quite different in function and effect. There is a futuristically smooth mock vehicle, a wall piece that emits sound, a model of a guru or saint, and a free-standing abstract shape. The room is lit gently with a hint of blue, and the sound of lapping water and a fog horn far out at sea comes in mono from the skewed heart-shaped piece on the wall, colouring the atmosphere of the whole installation. The sound is used to create a sense of wonder and disorientation. Hapaska talks of rights spent listening, as a child, to the constant sound of a motorway near her home in a village just outside Belfast, and of wanting to recreate the ambiguous sense of comfort and longing that comes with the sound of unknown people on the move.

Institute of Contemporary Arts, The Mall, London SW1 (0171-930 3647) to February 18

deliberate formlessness. A wooden log with beads embedded is suspended from the ceiling; a rug is sliced in half; sections of cheap building board, coloured with paint, are wedged in between other materials. Cast breeze blocks in uniform white march across the floor. The exhibition appears to be the result of tough conversation and territorial negotiation between four individually successful artists.

Stedelijk Museum Bureau, Rozendael 59, Amsterdam (00 31 20 422 0471), to December 31

In the main space at Galerie Paul Andriessse are four paintings by the Slovenian artist Mitja Tusek. Each

surface is covered by layers of wax which create an intense prismatic effect. This veneer traps an apparently simple composition. Browns and greys mixed with a good deal of yellow appear to describe something half-remembered. Two flat sections of colour meet in a blur: a horizon, or the earth spied from far away. In the back gallery downstairs a further three paintings describe a natural cul de sac, the corner of a forest or overgrown garden, where a dense screen of trees rises up and across the surface. Galerie Paul Andriessse Prinsengracht 116 NL 1015 Amsterdam (00 31 20 623 62 37) until January 17

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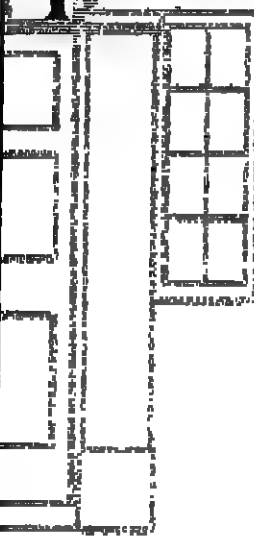
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LAW

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In the clear (above clockwise) Roderic Minshull and his wife, Joseph Elliott, Barrie Richards and Ted Newberry



Vigilante or victim?

The Government is under pressure to define the law relating to self-defence, Gary Slapper writes

The house of everyone, it was proclaimed in a case in 1604, "is to him as his castle and fortress." This principle has come to be the cherished credo of millions of citizens. Yet today, many people are puzzled by a legal system which prosecutes a householder for criminal assault in circumstances where, in absolute terror, he uses force against a burglar in his home.

The Crown Prosecution Service will soon report on this area of law, after being invited last month by the Home Secretary to include it in a review of guidelines on charging people with assault. Speaking at the Police Superintendents' Association's annual conference last month, Michael Howard said that people who use violence to defend themselves should be treated more sympathetically.

Two recent developments have raised the heat of this debate. Last month the Court of Appeal decided that a trespasser engaged in criminal activities is owed a duty of care by a person defending his property, and can claim compensation for injuries suffered if the force used against him exceeds "reasonable limits".

The case arose from an incident in which Ted Newberry, an 82-year-old from Ilkeston, Derbyshire, shot a 12-bore gun at a young intruder, Mark Revill, who was trying to break into Mr Newberry's shed. Mr Newberry was prosecuted on charges of wounding, but was acquitted by a jury. Then, in a civil case, Mr Newberry was ordered to pay £4,000 damages to Revill, who had served a four-month jail sentence for offences including attempted burglary of the shed. The Court of Appeal held that the duty imposed by Parliament on occupiers of land to trespassers, even burglars who intrude in the middle of the

night, meant that nobody could be treated as an "out-law" and thus fair game.

Then, just two weeks later, a Crown Court judge obliquely criticised the Crown Prosecution Service for having brought charges against a man for attacking a thief. Barrie Richards, aged 59, had given evidence at Teesside Crown Court that he had fired a shotgun into trees when he saw an escaping thief run there for cover. The flats complex that Mr Richards had been trying to protect had been plagued with burglaries. The young thief was caught and eventually jailed for eight months, but this did not affect Mr Richards being prosecuted as some of his shotgun pellets had hit the thief. The jury took just ten minutes to acquit Mr Richards, and Judge Peter Fox said: "I would invite the attention of [the CPS] to the fact that it took the jury... a few minutes to determine that the right verdict was not guilty."

This, though, is merely the latest in a developing series of similar cases over the past couple of years that alarm the public either because, like Mr Richards's case, they appear to be inappropriate prosecutions of virtuous men, or, much worse, because the self-defender wins in law but outrages public opinion.

Joseph Elliott's trial in July 1993 is a case in point. Elliott, aged 19, was out at night, high on drink and drugs, when he slashed the tyres of a car. The brother-in-law of the car owner saw this and armed himself with a hammer and challenged Elliott. In the ensuing struggle, Elliott stabbed and killed the man, and at his trial for murder successfully pleaded self-defence.

Earlier this year in Sheffield, Ben Lyon, aged 73, who

opened fire with his shotgun on a man he believed was about to burgle his allotment shed, was convicted of wounding with intent and given a suspended sentence. Two days after Mr Lyon's conviction, police decided to take no action against a man in Nottinghamshire after two burglars suffered severe shocks from electrical fencing he had erected outside his home. By contrast, Roderic Minshull, a Cambridgeshire man who wired up his car with a home-made anti-theft device, was acquitted of assault when a security guard received an

Society will not condone private judgments of criminals. Down that road lies a Mad Max society

8,000-volt shock from touching it.

The Home Secretary said after the Elliott case in 1993 that he would review the law. So far, however, there have been no concrete changes.

The real problem is that the application of the law is vexed by a variety of regional and local interpretations by police officers of what amounts to reasonable conduct by someone (paradoxically) trying to uphold the law. The issue is further complicated by inconsistencies in regional CPS practice and further made fraught by unpredictable juries.

The law says that a person charged with a crime may

plead that he acted as he did to protect himself, or his property, or others from attack, or to prevent a crime. This, strictly speaking, is not a "defence", but a justification for the defensive conduct which, if successfully pleaded, makes the conduct lawful.

It is clear that a person may make a pre-emptive strike. "A man about to be attacked," said Lord Griffiths in one case, "does not have to wait for his assailant to strike the first blow or fire the first shot." Neither does he, or she, have to retreat before using force. The force must be "necessary", but it is left to juries to decide if an assailant could have been evaded rather than attacked.

Force used against an attacker must be "reasonable in the circumstances", and it is in relation to this phrase that the greatest confusion has arisen. One line of judicial pronouncements, concluding recently in the House of Lords decision in the case of Private Lee Clegg, states that the test of whether the force was reasonable is objective. Thus if the prosecution shows that, in fact, the force used was excessive, then the defence fails. There is, though, Court of Appeal authority for saying that the decisive factor is whether the force used was reasonable according to the defendant's perception of events. Either way, however, as Lord Morris said in a case in 1971, "a person defending himself cannot weigh in a nice way the exact measure of his necessary defensive action".

In confirming that it was proper for Ted Newberry to have to compensate Mark Revill for peppering him with pellets, the Court of Appeal's rationale was partly based upon the notion that our society will not condone the personal, subjective determination of what "criminals" deserve. It is not difficult to see that down that road lies a Mad Max society.

The Law Commission has recently proposed a test which blends subjective and objective elements to discover whether the force used by someone was reasonable. The key question would be whether the violence was "reasonable in the circumstances he believed them to be".

This proposal, or others by the CPS, may simplify the law. Nevertheless, there is evidence that a larger problem will still loom: the escalation of people using force to defend their homes as domestic burglaries proliferate and the criminal justice system is widely regarded as unreliable. The law on self-defence has remained essentially the same for decades: it is the dramatic change in its social use that has catapulted it into debate.

Dr Slapper is principal lecturer in law at Staffordshire University

Over the border in hot pursuit of fraud

Fraud, unlike most other crimes, often spans several countries. Fraudsters have no respect for international frontiers; indeed they are adept at exploiting the territorial nature of our laws. This year the Serious Fraud Office (SFO) received requests for help from as far afield as Argentina and Australia, but how well equipped are we to deal with the new phenomenon?

In Europe, the Convention on Mutual Legal Assistance in Criminal Matters enables evidence to be gathered in one contracting state for use in the criminal courts of another. It was not ratified by the United Kingdom until 1991, but has improved the response to international fraud in Europe.

However, although several countries now have modern mutual assistance laws, others — particularly in the Commonwealth — still rely on old British legislation not designed to help with fraud investigation. Where the relationship between the UK and the overseas territory is closest, the mutual assistance arrangements may be most constrained. If, for example, we request help from Switzerland, it will be acted upon swiftly under the European convention. But if a similar request goes to some of our dependent territories — often significant offshore financial centres — it is rejected unless and until a defendant has been charged.

Paradoxically, some Caribbean dependent territories have entered into treaties (negotiated by the Foreign and Commonwealth Office) to share information with and provide mutual assistance to the United States; but have been unwilling to change their domestic legislation to render the same assistance to the United Kingdom and others.

A mutual legal assistance treaty agreed by the US and the UK is due to be ratified by Congress. The US already has one of the most open and helpful mutual assistance regimes in the world.

Little will be achieved in international affairs without goodwill and reciprocity. To this end the UK has done much to improve its own legal regime. It has tried to ensure a rapid response to the requests of other states. The Serious Fraud Office can now compel the production of information to help foreign fraud investigations.

There are also difficulties when cases come to trial. Bankers and others often have to be brought from abroad to explain the intricacies of financial transactions involving networks of bank accounts and the use of offshore companies, trusts and administrators. But such witnesses cannot be made to attend our courts. And they may even be bound by strict

secrecy laws with penal sanctions in their own country. It is difficult to imagine a greater inhibition to successful prosecutions.

In the UK, willing overseas witnesses can now give evidence by television link from their own country. This means courts can obtain important evidence which previously would have been denied to them. Individual countries, including the UK, must take powers to compel witnesses to attend at appropriate premises where a television link with a foreign court can be established.

Where it is not possible to bring witnesses to this country or take their evidence by television link, the Criminal Justice Act 1988 does allow business and other records to be admitted as evidence, without the need to call the witness — the so-called hearsay provisions. Without these provisions there is a danger that defendants will demand the production of live witnesses formally to produce the documents to the court even though their authenticity cannot reasonably be doubted. If witnesses are not available, evidence will be lost.

Serious fraud cases, which are largely document-driven, are particularly vulnerable. Unfortunately, the provisions have been slow to catch up, probably because of the strong oral tradition in British courts. There has been a tendency to regard hearsay as a last resort.

Our criminal law is largely territorial. That means that in the main, you can be tried only in the United Kingdom for crimes committed here. But

many other countries assert worldwide jurisdiction over the activities of their own nationals, and refuse to extradite them. There may be some countries where an accused will not receive a fair trial, and a refusal to extradite even non-nationals may still be appropriate. But in most cases, where people and corporations are free to move to, or set up businesses in, foreign countries (and therefore free to commit crimes there), that country's right to try them should be recognised and supported internationally. This is particularly so within the European Union.

Our criminal law must also recognise new forms of evidence. It takes no account of changes in computer technology. Meanwhile, a technological revolution has been occurring. It is increasingly hard to determine in which country a "transaction", and therefore an offence, has taken place. In the fight against international fraud, close co-operation between governments is essential. But governments must also recognise the urgent need to modernise their laws in this field, if that fight is to be effective.

● The author is Director of the Serious Fraud Office.



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ZMB

Fees crisis on agenda

WITH conveyancing fees at an all-time low, the Law Society's council meeting on Thursday on how to stamp out cut-price conveyancing charges is expected to attract record attendance. Such is the interest in the proposals — chiefly whether colleagues who refuse to charge a recommended guideline fee should be denied insurance cover — that society officials are having to relay the meeting live to another room via close-circuit television. The council chamber cannot accommodate the throngs of solicitors expected.

The council will also discuss a specification for the person who will replace John Hayes, the secretary-general. The aim, according to council papers, is to find a "strong but not dominant" personality.

INS AND OUTS

Speculation is rife that Hayes, who is to be chairman of the new Occupational Pensions Regulatory Authority, is under pressure to go even before his chosen date of the end of May.

Partner blow

THE new senior partner at Wilde Sapte is a man who is proud to blow his own horn. Mark Andrews, who takes up his new position in January, is known for his love of playing the French horn. To the point where the unwary can suddenly find themselves serenaded in the firm's car park.

Bar bashing

THE Lord Chancellor's proposals to reform legal aid have

been attacked from all sides of the legal profession. But no description of the plans has been quite as withering as that by Anne Rafferty, QC, chairman of the Criminal Bar Association. "Our response to the poisonous legal aid proposals has not only stood alone as impressive, but has also been fundamental to the way the Bar Council's comments were phrased," she writes in the latest CBA newsletter.

Rights on

DINAH ROSE, a barrister with 2 Hare Court, beat 100 other finalists to become the Cosmopolitan/American Express Achievement Award Winner for her human rights and sex discrimination work.

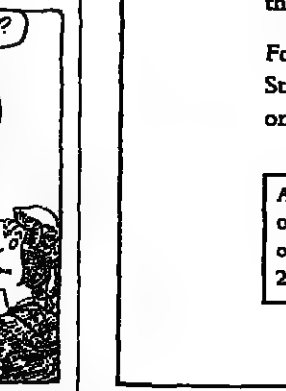
Parties to action

CHRISTMAS parties have caused a few early headaches among the law firms out in the snowy regions. In Leeds, Hammond Suddards has decided not to have a firm-wide party at all, said a spokeswoman: "We cannot find anywhere big enough for all of us together, so we are having department parties this year." Bristol's Osborne Clark has been more conventional, with one big pre-Christmas bash at the Marriott Hotel, the only venue big enough.

Plymouth's Bond Pearce has chosen the Manor House Hotel outside Newton Abbot, complete with a novel entertainment. The firm has hired a dance coordinator who, says a spokeswoman, "teaches dance routines to funny songs, and we will all have to join in". So long as the partners stay off the scrumpy.

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CHAMBERS

More Lawyer Jokes

There is no let-up in the stream of lawyer jokes pouring out of America, mainly from New York. The old "Philadelphia lawyer" now seems to work in Manhattan.

Here's an example: An engineer, a physicist and a lawyer were interviewed for a job, and were each asked what two plus two makes. The engineer made several measurements and calculations and came back with the answer: "four". The physicist went off to ring the US Standard Bureau and came back with the same answer: "four". The lawyer drew down the window blinds, peered out of the door to see if anyone was watching, and said: "How much do you want it to be?"

Another one: An elderly lawyer died and went to heaven. The Pope died the same day and accompanied him. St Peter greeted the Pope to a rather small and shabby house located away behind the heavenly sundries. He returned to escort the lawyer to a grand suite of rooms overlooking a private swimming pool. "I'm most grateful," said the lawyer, "but why am I treated better than the Pope?" St Peter took him by the arm: "We have over a hundred Pope's here, and we're getting bored with them, but we've never had a lawyer before."

All these jokes are strictly healthy, and carry hints on lawyers' greed. For instance: A man went to see a lawyer. "What are your fees?" he asked. "500 for three questions," replied the lawyer. "Isn't that a bit much?" he asked. "Yes," said the lawyer. "What's your third question?"

Finally, the ultimate insult: What do you get if you cross a lawyer with a drunk pig? Answer: Nothing - there are some things even a drunk pig won't do.

Michael Chambers

Thanks to Paul J. Michaels, NY, for these jokes

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There has been a sea change in the attitudes of judges towards training in the past 30 years. Many judges thought it unnecessary and an insult

Judges go back to school

Frances Gibb on the change in attitudes that led to an overhaul of judicial training

Judges used to spit blood at the mention of training. Lord Devlin, the late law lord, delivered a diatribe against the very idea of it; and, as Lord Justice Henry confessed last week, "when on a training camp about 20 years ago, I joined the escape committee as soon as I arrived".

Lord Justice Henry is now a convert. So much so that he heads the Judicial Studies Board, the body in charge of training some 60,000 judges and magistrates in England and Wales; and in that job last week he outlined plans for an overhaul of judicial training designed to take it into the 21st century.

His own conversion is typical of what he calls the sea change in attitude among most judges over the past 25-30 years. Before, he says, most of them thought "the training of judges was not only quite unnecessary, but also something of an insult. If they had spent all their life in court, they did not need any training for the task." The hostility was so bad that a judge trying a personal injury case could not even be guided on what figure the damages should be.

But now modern judges not only accept training — they want it. There is a wide and growing demand for courses, not just from new judges, but for continuing training (refresher courses) as well as specific courses geared to new laws, such as the

programme of training roadshows held across the country to instruct judges in the Children Act 1989.

The demand is coming not only from judges, but from outside. The Royal Commission wanted a more expanded and formalised system of training for judges; and Lord Woolf, with his radical proposals to overhaul the culture of civil justice, sees judges becoming "trial managers": they will need training in moving from being back-seat passive referees to taking the wheel in trials and steering them.

At the same time, there is significant pressure on the resources to deliver that training — both the raw material of the judges themselves, and the money to run the courses.

The upshot is that the Judicial Studies Board has decided it must move onto a more professional and independent footing. For the first time it will be given an independent budget and hived off from the Lord Chancellor's Department.

The board relies too heavily on the dedication of a small body of tutor judges giving up an unacceptable amount of their spare time. This is not a satisfactory professional basis on which to proceed.

"We have gone as far as we can with the old board, which is a rather British institution that has been amateurish in the best sense of the word — but it has worked. Now it must change and expand," Lord Justice Henry said.

As a first step, the board is to submit a bid in April to the Lord Chancellor for a substantial increase in its present funding of £1.3 million.

But the likelihood of a big injection of funds looks remote. Even a doubling of the budget could be swallowed in training judges in line with Woolf, and in the continuing onslaught of new legislation. There will be little room to expand the core training of new judges, widely praised for quality but woefully short on quantity.

Nonetheless, the board has plans to progress its work in the delicate area of training judges in human awareness in the wake of a working party report chaired by Mr Justice Potter. This training will build on the successful courses already being held on ethnic minorities. Initial hostility appears to be on the wane. A survey of 2,500 judges had found that only a handful were hostile to training.

Lord Justice Henry said this was an important area which would be taken forward by two judges — Judges Pitchers and Sumner — who had been jointly appointed to the new post of director of studies. Judge Sumner said: "The old view that common sense and courtesy is enough has gone. We've got to go beyond that and understand people's perceptions."

The areas to be covered go further than just gender awareness, taking in "unrepresented parties, witnesses, jurors, victims and their families, children, persons under physical or mental disability and gender issues".

The next step was to devise how this training could be included in the courses.

Some may see the hiving off of the board as a first step towards a Judicial Training College, although the idea of having a special building for the task has been rejected. Lord Justice Henry dislikes the label anyway. It is a "much too grandiose term" which might alarm judges. "Everything we do is gradualist, because we have to satisfy our independent-minded and critical clientele."

The approach seems to be working. Now the modern judge "accepted, appreciated and benefited" from training, he said.

If there is one message he wants to get over, it is that training for judges is not a duty, but "a right".

Lawyers with a bedside manner

Nursing can be an ideal grounding for the law, says Fiona Bawdon

Lawyers may be described as many things, but angels is not usually one of them. Yet it seems that an increasing number of nurses and other health workers are retraining to become lawyers — and working not just in areas of law such as medical negligence and personal injury, but also doing family work and even commercial litigation.

In this, as in many other aspects of law, the UK is following in the footsteps of America. In the United States, "nurse attorneys" are a well recognised phenomenon, and the long-established American Association of Nurse Attorneys has some 7,000 members. One assistant district attorney in the Los Angeles Police Department apparently takes a break from her regular work prosecuting police killers to do a half-day stint in the renal unit of her local hospital.

This Thursday sees the start of this country's answer to the American nurses' group, the Nurses in the Law Association (Nila). No figures exist for the number of UK lawyers with a nursing background, but about 60 have been identified so far. Rosamund Rhodes-Kemp is one of the prime movers behind the formation of the group. Now a partner with the specialist personal injury firm Russell Jones & Walker, she previously spent seven years as a nurse.

One of the main aims of Nila is to recognise and promote the additional skills which former nurses bring to the law. First and foremost among these is not, as one cynic commented, the ability to stitch people up, but management skills. Ms Rhodes-Kemp emphasises that nurses do not spend all their time hovering at bedside waiting to squeeze a hand or mop a brow, but as managers. Nursing sisters have busy wards to run and many are now fundholders. "People think nurses' training is three years of bedpans, but it's not. It's three years of management," says Ms Rhodes-Kemp.

If solicitors are, in general, poor managers they are even worse communicators. Ac-

exact reverse and moving towards a stark business management approach. Ms Rhodes-Kemp sees her switch into law as a natural career progression. "Nurses are known within the NHS as patients' advocates. I still act on behalf of patients. They just happen to be ones where something has gone wrong."

Even so, it may be some time before lawyers shake off their poor public image. Ms Rhodes-Kemp admits that it is hard going from being an angel to being perceived as, if not actually the Devil, then a not too distant relative. "As a lawyer, I'd like to know where all the successful clients go. Why are they not speaking up for us? Lawyers need to work harder to make sure clients know the good we do. On a ward, patients see me working. But, as a lawyer, my clients aren't in the office with me at 7am," she says.

For all their legal training, however, nurses have not managed to shake off their bedpan image altogether. The new group was originally going to be called the Association of Nurses in the Law — until it was pointed out that this would have an unfortunate-sounding acronym.

It is a trend which does not surprise Ms Wright, who says: "While the law is trying to become more client-based, the health service is doing the

● Nurses in the Law Association has its inaugural meeting this Thursday. For more details, contact Rosamund Rhodes-Kemp on 0171-837 2808.



Jane Wright, a former physiotherapist, now a lawyer

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Entitlement to civil liability contribution

Birse Construction Ltd v Haiste Ltd

Before Lord Justice Nourse, Lord Justice Roch and Sir John May
[Judgment December 5]

For there to be an entitlement to claim contribution under section 1(1) of the Civil Liability (Contribution) Act 1978 two parties had to be liable in respect of the same damage suffered by a third party. The Court of Appeal so held in a reserved judgment allowing an appeal brought by the second third party, Eric Donald Newton, an engineer employed by Anglian Water Authority, against the decision of Judge Cyril Newman, QC, sitting on official referee's business, on March 30, 1995, when he held that the defendant firm of consulting engineers, Haiste Ltd, could claim contribution from Mr Newton for the financial losses claimed by the plaintiff building and civil engineering contractors, Birse Construction Ltd, sustained by it in the cost of the construction of a reservoir for Anglian Water Authority following the completion of a first reservoir which proved to be defective.

The Court of Appeal held that since the damage suffered by Anglian was the defective reservoir and the damage suffered by the plaintiff was the financial loss of having to construct a second reservoir, the damage suffered could not be said to be the same.

Section 1 of the 1978 Act provides: "(1) ... any person liable in respect of any damage suffered by another person may recover contribution from any other person liable in respect of the same damage ..."

Mr Richard Gray, QC, for Mr Newton; Mr Robert Akershead, QC and Mr Adrian Williamson for Haiste; Birse Construction did not appear and was not represented.

SIR JOHN MAY said that the plaintiff was awarded a contract after tender by Anglian Water Authority for the design and construction of a reinforced concrete storage reservoir and associated building and engineering works.

The defendants were retained by the plaintiff to act as its consulting engineers in the preparation of the tender for and the design of the reservoir project.

Mr Newton was employed by Anglian and appointed by it as the engineer for the purpose of the contract with the plaintiff and as the construction engineer for the purpose of section 7 of the Reservoirs Act 1975 to issue all necessary certificates.

The reservoir proved to be defective and Anglian made a claim against the plaintiff for Anglian was the defective reservoir and the damage suffered by the plaintiff was the financial loss of having to construct a second reservoir, the damage suffered could not be said to be the same.

That claim was settled by an agreement between Anglian and the plaintiff under which, inter alia, it was agreed that the original reservoir could not be adequately repaired or replaced and that the plaintiff should at its own expense construct a new reservoir and associated works.

The question for determination was whether the liability of Mr Newton to Anglian was a liability in respect of the same damage as the liability of the plaintiff within the meaning of the 1978 Act. Judge Newman answered the question in the affirmative.

The appeal raised a novel point under section 1(1) of the 1978 Act. The argument on behalf of the defendants was accepted by Judge Newman was that the damage with which the plaintiff was concerned was the defective condition of the reservoir and the need to replace it.

The judge held that as a matter of construction, the 1978 Act provided a remedy regardless of the causes of action which gave rise to the liability; that is, regardless of the causes of action as well as of the identity of the person liable in respect of the same damage.

In support of his appeal, counsel for Mr Newton submitted that it was a matter of construction of section 1(1) of the 1978 Act. He submitted that on its proper construction the section meant that the person being given a right to recover contribution had to be liable to another person who could only be the plaintiff in the material litigation or someone with whom the person seeking the compensation had reached a bona fide settlement or compromise and that the person seeking contribution had to be liable to the other person in respect of the same damage suffered by that other person.

It was also pointed out on behalf of Mr Newton that the judge's decision gave rise to practical problems. By section 2(1) the amount of contribution recoverable from any person was such as would have to be paid by that person to the plaintiff for the damage in question.

If it was only the compensation due to a plaintiff which was in question, then all the circumstances surrounding the claim were already in issue anyway and apportionment between two persons liable to the plaintiff could be fairly made.

But if the judge's decision was correct, then the picture became confused and difficult to resolve. In the instant case, the judge would have to assess Mr Newton's degree of responsibility for Anglian's losses when Anglian was not a party and Mr Newton's employer, such losses might or might not be the same as the losses the plaintiff claimed from the defendants.

In his Lordship's judgment, the judge erred in holding that the answer raised should be answered in the affirmative. His Lordship saw no reason to construe section 1(1) otherwise than directly and simply as it stood.

Any person who was liable in respect of any damage suffered by another could recover contribution from another person liable in respect of the same damage.

The simple direct reading of the subsection had to lead one to conclude that (i) the same damage could only refer to the damage spoken of in so many words as (ii) damage suffered by the same person.

The judge suffered by Anglian in not having a completed properly working reservoir at the time that they expected, the loss sustained by the plaintiff in having to construct a second reservoir or the damages which the defendants might have to pay the plaintiff for or which Mr Newton might be liable to Anglian were not for "the same damage" within the meaning of section 1(1).

In rejecting the construction of section 1(1) which his Lordship preferred, the judge expressed the view that such a construction would require the words "to that person" to be inserted after the word "liable" and before the words "in respect of the same damage". The absence of those words did not lead his Lordship to the conclusion that his opinion as to the proper construction was wrong.

Lord Justice Roch and Lord Justice Nourse delivered concurring judgments.

Solicitors: Fenwick Elliott; Alastair Thomson & Partners.

Reduced privatised passenger rail service lawful

Regina v Director of Passenger Rail Franchising, Ex parte Save Our Railways and Others

Before Mr Justice Macpherson of Cluny
[Judgment December 8]

As part of the package of tender documents inviting bids for the letting of certain British Rail services, the Director of Passenger Rail Franchising had not acted unlawfully in issuing passenger service requirements which provided for minimum service frequencies below those currently provided.

Mr Justice Macpherson of Cluny so held in the Queen's Bench Division when dismissing two applications for judicial review, (i) by Save Our Railways, Richard Delahay, Southend-on-Sea Railway Travellers Association, Frederick Donald Allen, Gordon James, Alex Wilks, Philip Foggitt and John Ansell and (ii) by Save Our Railways, Mark Stanley Walker, Graham Richard Ladbroke, Peter Fox and Keith Patrick Bill, of the decisions of the Director of Passenger Rail Franchising on May 16 and September 14 to issue passenger service requirements in relation to rail services provided respectively

by (i) Great Western Trains Ltd, South West Trains Ltd and London Tilbury and Southend Rail Ltd and (ii) Inter City East Coast Ltd, Garwick Express Ltd, Midland Main Line Ltd and Network South Central under the Railways Act 1993.

In preparing the passenger services for privatisation the director was charged with fixing the minimum levels of service required by way of the passenger service requirements.

To assist the director in preparing networks for selling off and choosing franchisees the Secretary of State for Transport issued a document on March 22, 1994 entitled *Objectives, Instructions and Guidance for the Franchising Director* which stated, inter alia, that in the initial letting of franchises the specification of minimum service levels for railway passenger service were to be based upon those being provided by British Rail immediately prior to franchising.

The applicants submitted, inter alia, that the instructions should have required the director to make major reductions in levels of service.

To do so would be inconsistent with what had been said in Parliament and was unreasonable and unlawful amounting to a breach of duty and trespass outside the discretion given to the director under the 1993 Act and the *Objectives, Instructions and Guidance*.

Mr Nigel Fleming, QC and Mr Owen Davies for the applicants; Mr Jeremy Sullivan, QC and Mr Jonathan Richard McManus for the respondent.

MR JUSTICE MACPHERSON said that the meaning of "based upon" had to be looked at in the context of the full *Objectives, Instructions and Guidance*.

That document included references to a service providing good value for money, freedom to respond to passenger demands, flexibility and non-competition.

Accepting that the director had to act in an independent role and was not an agent of the secretary of state, his Lordship said that the director's important discretionary powers, as well as his duties under the 1993 Act, in relation to franchise agreements were complicated and difficult to perform in an atmosphere of conflict. His Lordship's powers were limited by law and breaches of the law.

Nothing said in Parliament could give rise to a contractual or otherwise enforceable guarantee. It was only the instructions and director's activities that were under scrutiny.

His Lordship was unable to accept that the director had to produce, beyond fine tuning, a virtual mirror-image of the present British Rail timetable. If the secretary of state had wished to see a repetition then he could have said so.

The tone and intention of the *Objectives, Instructions and Guidance* was to flexibility and development. The secretary of state had given no right instruction.

Further, passenger service requirements were not time-tables but the minimum service levels, set out in the context of objectives requiring the director to ensure value for money and flexibility.

However, dislikable the result, the evidence showed that the director had based himself upon the current timetable because he was required to do so and it was right to appreciate that once it was accepted that there existed room for manoeuvre the extent of reduction was a matter for the director, only challengeable on *Wednesbury* [1948] 1 KB 223 grounds of reasonableness.

A copy of the said PDR was sent to the respondent on or about 10/12/94. The respondent was given 14 days to object to the PDR. No objection was received.

Even though the director was an independent person, for at least a

year he had worked with the secretary of state so that he knew of the director's approach. If it was thought that that approach was flawed then the secretary of state could have said so.

All the court could do if it had given a remedy would be to order that the director re-think the passenger transport requirements. Fresh instructions would be given allowing the director to implement what he required. Some might say that that was a roving of the goal post but such was a matter for Parliament and not the courts.

His Lordship wondered whether the case had been an appropriate one to bring to court at all given that the secretary of state's *Objectives, Instructions and Guidance* was an internal document and not a statutory one. It covered a wide area and took many things into account.

It was difficult to conclude, when the secretary of state did not believe that the director had disobeyed his instructions, that unless the director had thrown the *Objectives, Instructions and Guidance* away and ignored it entirely the court could have intervened.

The present case was not one in which there had been a clear abuse of power and accordingly the applications would be dismissed.

Solicitors: Leigh Day & Co; Treasury Solicitor.

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Professional misconduct in negligent treatment

McCandless v General Medical Council

Before Lord Goff of Chieveley, Lord Nicholls of Birkenhead and Lord Hoffmann
[Judgment December 11]

Seriously negligent medical treatment could amount to serious professional misconduct.

The Judicial Committee of the Privy Council so held when dismissing an appeal by Dr David Noel McCandless against the determination of the professional conduct committee of the General Medical Council on March 16, 1995, that by reason of a finding of serious professional misconduct his name be erased from the register of medical practitioners.

Mr John E. Miting, QC for Dr McCandless; Miss Joanna Glynn for the GMC.

LORD HOFFMANN said that the charges alleged against Dr McCandless's diagnoses of three patients and failure to refer them to hospital. Two subsequently died and the other was found on her eventual admission to hospital to be seriously ill.

His Lordship accepted that the professional conduct committee's findings of fact were not open to any material dispute and that in each case Dr McCandless had been negligent.

The chairman of the committee gave the following brief reasons for its finding that he had been guilty of serious professional misconduct:

"Dr McCandless, the committee take a very serious view of the evidence which they have heard about the poor standard of medical care which you provided to all three patients in this case. The care which you provided fell deplorably short of the standard which patients are entitled to expect from their general practitioners."

Mr Miting submitted that those reasons amounted to an error of law by the committee. He said that the committee applied the wrong test for what amounted to serious professional misconduct.

That finding had to be based on medical evidence, applying the correct statutory test.

The interviewing detective was neither a medical witness nor an expert for that purpose and it was wholly inappropriate for the trial judge to rely upon suggested assumptions about the views of other police officers and a general practitioner.

Indeed, the inclusion of the words "whether suspected or not" after the words "mentally handicapped" in Code C11:4 added further strength to that criticism.

Solicitors: Crown Prosecution Service, Headquarters.

Other police officers and a general practitioner.

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It thought that it was enough that the treatment given to the three patients fell "deplorably short" of the standard which would reasonably be expected.

Mr Miting submitted that poor treatment was not enough. The doctor might nevertheless have been doing his best. He might have been overworked or just not particularly good at the job.

But "serious professional misconduct" meant, he said, conduct which was morally blameworthy. That could not be determined simply by deciding whether the treatment measured up to an objective standard.

One had to look at why the doctor gave the treatment which he did. If it fell short of a reasonable standard because he was, for example, too lazy or drunk to examine the patient properly, then he would be guilty of misconduct. But not if he made an honest mistake.

Some support could be found for Mr Miting's submission in old cases on the meaning of "infamous conduct" in a professional respect. The words which used to be confined to nineteenth century medical statutes and which continued to be used until replaced by the words "serious professional misconduct" in the Medical Act 1969, for example *Felix v General Dental Council* [1960] AC 704.

Since Felix however, much had changed.

First, the words "infamous conduct" in a professional respect were replaced by "serious professional misconduct". The authorities on the old wording did not speak with one voice and they were of little assistance in the interpretation of the new.

Second, although there remained the single disciplinary offence now styled "serious professional misconduct", the possible penalties available to the committee, which used to be confined to the ultimate sanction of erasure, had been extended to include suspension and the imposition of conditions upon practice. That

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That finding had to be based on medical evidence, applying the correct statutory test.

The interviewing detective was neither a medical witness nor an expert for that purpose and it was wholly inappropriate for the trial judge to rely upon suggested assumptions about the views of other police officers and a general practitioner.

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Mental handicap finding must be based on medical evidence

Regina v Ham

Before Lord Justice Swinton Thomas, Mr Justice Waterhouse and Mr Justice Harrison
[Judgment December 11]

An express finding based on medical evidence had to be made as to whether or not a defendant was mentally handicapped at the time he was interviewed by the police.

The Court of Appeal, Criminal Division, so stated in a reserved judgment when allowing an appeal by Benjamin Ham against conviction on February 28, 1995 at Snaresbrook Crown Court (Judge Martineau) of two offences of burglary for which he was sentenced to concurrent probation orders for a period of 18 months.

Code C 11:4 of the *Police and Criminal Evidence Act 1984* (s.64) *Codes of Practice* (second edition (1991)) provides: "A juvenile or a person who is mentally disordered or mentally handicapped, whether suspected or not, must not be interviewed or asked to provide or sign a written statement in the absence of the appropriate adult."

Mr Nigel Daniel, assigned by the Registrar for Criminal Appeals, for Mr Ham; Mr John D. Taylor for the Crown.

MR JUSTICE WATERHOUSE, giving the judgment of the court, said that it was important to refer to *R v Everett* cited in *R v Raghip* [1991] 1 Cr App R 391, which underlined the importance of a finding in the present case as to whether or not Mr Ham was a mentally handicapped person.

The case would be remitted to the justices for them to consider the section 26 proceedings and how much it would be just and reasonable to award.

Mr Justice Roulger agreed.

Solicitors: Solicitor Customs and Excise; Bradleys, Dover.

Statutory appeal preferred to judicial review

Regina v Special Educational Needs Tribunal, Ex parte South Glamorgan County Council

Before Lord Justice Rose, Lord Justice Millett and Lord Justice Thorpe
[Judgment November 30]

A challenge to a decision of the Special Educational Needs Tribunal should be by appeal under Order 53 of the Rules of the Supreme Court rather than by way of judicial review.

The Court of Appeal so held, allowing an appeal by the Special Educational Needs Tribunal against the refusal of Mr Justice Turner in the Queen's Bench Division on November 3 to set aside his order of October 25 giving South Glamorgan County Council leave to move for judicial review of the tribunal's decision to amend a statement of special educational needs made pursuant to section 168 of the Education Act 1993 in relation to a child.

Section 162 of the 1993 Act and section 11(1) of the Tribunals and Inquiries Act 1992 provide that an appeal against a decision of the Special Educational Needs Tribunal lies to the High Court.

Ms Nathalie Lieven for the tribunal; Mr Malcolm Bishop, QC, for the council; Ms Deborah Hay for L.

LORD JUSTICE ROSE said that at the ex parte hearing of the council's application the judge had before him a letter from the Treasury Solicitor drawing attention to two decisions at first instance, *S v Special Educational Needs Tribunal* [The Times October 5, 1995] (1 WLR 1627) and

other police officers and a general practitioner.

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Greenstock misses his opportunity to establish credentials

1. Q37+! Kxa7: 2. Rxc7+ Ka8: 3. Nxbb matc

Injuries force Venables to opt for new strike partnership

Ferdinand gets England chance

BY ROB HUGHES
FOOTBALL CORRESPONDENT

LES FERDINAND and Alan Shearer, the two supreme goalscorers of English league football, both play in the nation's attack for the international at Wembley against Portugal tonight. The Portuguese, whom Terry Venables, the England coach, regards as among the four most gifted countries in Europe, oppose this double-pronged attack, by choice, with their second-string goalkeeper, and without one of their four marvellous creative midfield players.

At least that should make the struggle more equal. Ferdinand has been out in the cold for two years, apart from being granted nine minutes as Shearer's substitute 15 months ago in a match against the United States. They have never played together as a pair, they share 41 goals for Newcastle United and Blackburn Rovers in the first half of this season, but it is not public demand that brings them together. Rather it is that injuries to four of the team that beat Switzerland 3-1 last month force Venables to re-think the strategy and the style tonight, the most significant injury is the sciatica which pains Teddy Sheringham, coming at the very height of his acceptance as an England international.

So, though nothing is known about the formation behind Ferdinand and Shearer, this pair is in harness at last. It is as if one took two handsome Clydesdales, coupled them together, but left everyone pondering who is to feed them, who is to rein them in, who is to forage and provide their opportunities. Perhaps not even Venables knows for certain. When injuries deprived him of David Platt, Robert Lee and Jamie Redknapp, three instrumental midfield players, the shape that he has been fashioning England towards, the continental version of variations on 3-5-2, was stripped from him.

He spent Sunday, "mad Sunday" as he called it, feeling the exasperation that England



Ferdinand, left, and Shearer, show their delight at the prospect of forming a potent strike force for England. Photograph: Ian Stewart

managers before him knew as habit, the telephone ringing, the shape of things before the FA negotiated time off from the league programme even before international play. "It must be obvious I am having to think on my feet," the coach said, "but we may have similar situations during the European championship, we may have to change tactics to the personnel available, so this is a good test."

"With two strikers, we will

have to play a bit narrower. Both will have licence to move wide or deep as they see fit." Shearer is hungry to score for the first time in ten international appearances and Ferdinand's desire to add to his three goals in seven appearances for England is palpable.

"This is his match," Venables said of Ferdinand. "This is his opportunity, and every player who gets an opportunity at this time, when I am seeking a settled squad for the European championship, has to make the most of it. Of course there's pressure on Les, but he wouldn't be in the squad if I didn't think he and Alan Shearer could play together. Being picked for England means he's a good player, one of the things that makes the difference is how you handle pressure."

The pressure, if that word is acceptable in the privileged world of multi-million pound performers, has been handled with convincing authority by Ferdinand since his £6 million move to Newcastle. He knows England will provide nothing like the wing play, the provision that has flowed right and left from Keith Gillespie and David Ginola.

Indeed whether Steve Stone, that stalwart of Nottingham Forest's right wing, is fit to make his full England debut, may be one of the things Venables will ponder about over the cornflakes. For Stone revealed on Sunday, after scoring a spectacular right-footed goal for Forest, that for some time, he has been hiding the pain, the need for anti-inflammatory tablets, for a left knee that swells with every

game. In addition, Steve Howey, who is expected to step in for Gary Pallister, is another who spends the time between matches with the ice pack applied to a niggling stress injury.

Fitness of the mind is at least as important as that of the body at this level. Paul Gascoigne has much to prove, after his nonsensical antics and his sending-off in his last game for Rangers and, despite his ability to pass the ball more creatively than any other Englishman, there is always a need for someone else to police him, to spot the signals before he loses self-control. The mind boggles at the prospect tonight of that "minder" being Dennis Wise.

The Chelsea player has lately taken responsibility for an in-field role, taken games

by the scruff of the neck, suggested at least that his own volatile nature is becoming controllable. Can he be the man to trust at Gascoigne's side?

Or should it be Gareth Southgate, the Aston Villa defender whose adaptability, either in a back three, back four, or midfield, has impressed progressively through this season? These questions will be posed by a Portuguese team that will not like the weather, that comes without Vitor Baia because Portugal's coach, Antonio Oliveira, wishes to test the substitute goalkeeper, Adelino Neno, and without Rui Costa's wiles in midfield because Fiorentina will not release him.

Wheeler moves, page 43
Highest office, page 43

Charlton is still buoyant despite loss of injured Staunton

BY PETER BALL

IRELAND'S preparations for the European championship play-off against Holland at Anfield tomorrow suffered another setback yesterday when Steve Staunton pulled a hamstring in training. With Roy Keane ruled out at the weekend, this means that Ireland have lost two of their first-choice midfield players.

However, the Ireland manager, Jack Charlton, took the news philosophically. "He is not the strong player we know," he said. "He has not been playing very much this year. He has been carrying injuries and this may be the best thing that's happened to him."

"We are in better shape for this game than the game against Portugal, because we have one or two players back. Sheridan is moving very well and looking very sharp, and we have Townsend back which is a big bonus, because he will stir a few up."

"Against Portugal we had to cope with two young lads, McAteer and Kennedy, playing out wide, and another relative newcomer in Kenna playing in central midfield. Even then we held them for 70 minutes. Now we can play Kenna, who is a very good, competitive player, in what I think is his best position, wide right."

That suggests that there will be no place in the team for McAteer, although there were indications yesterday that Charlton may have decided to play a five-man midfield tomorrow, leaving out Aldridge, the team's leading goalscorer.

Charlton indicated yesterday that Tony Casarino would replace Niall Quinn, centre forward, who is suspended. Many would regard that as a serious loss, given Quinn's recent form for Manchester City; Charlton remained unconcerned.

"Tony is probably playing better than Niall at the moment," he insisted. "Tony is a big, strong lad, and his touch is better now, perhaps from playing in France."

Dennis Bergkamp, the Holland striker, is confident of recovering from a calf injury in time to play. The Holland coach, Gus Hiddink, said: "We are very hopeful Dennis will be fit. He is keen to play in such an important game."

Fifa hands Hauge ban from transfer dealing

BY OUR SPORTS STAFF

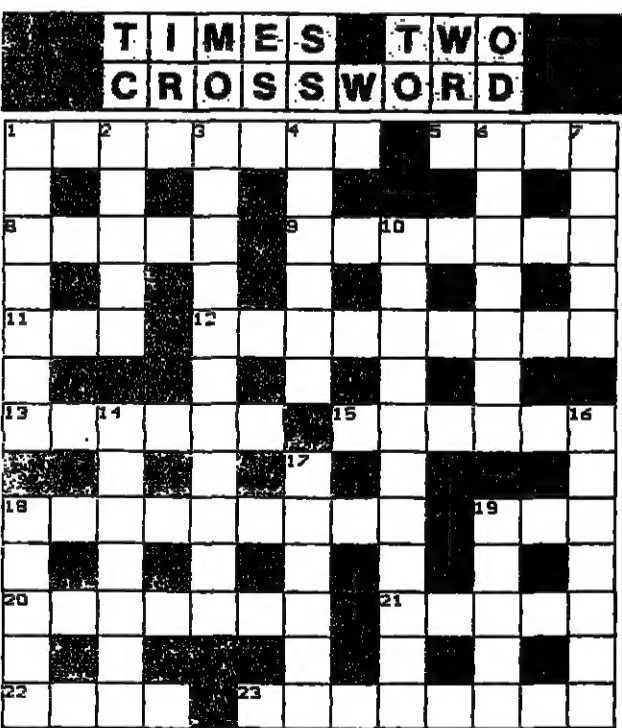
RUNE HAUGE, the Norwegian football agent, was banned indefinitely from any involvement in transfer dealings by Fifa, the game's world governing body, yesterday. Fifa also warned players, clubs and national football associations that they would face punishment if they had any future involvement with him.

Hauge was suspended from Fifa's list of licensed players' agents earlier this year because he made unauthorised payments totalling £440,000 to George Graham, the former Arsenal manager, after the transfers to the club of Pal Lydersen, of Norway, and John Jensen, the Denmark midfielder. Graham subsequently repaid the money to Arsenal, but none the less lost his job and incurred a 12-month suspension from the Football Association.

Hauge, however, has appeared to ignore his ban, using an intermediary to become involved in the £840,000 transfer of the Swedish international defender, Pontus Karmark, to Leicester City from IFK Gothenburg and advising Lars Bohinen, the Norway midfielder player, over his move from Nottingham Forest to Blackburn Rovers through a Danish intermediary, Frank Mathiesen.

Keith Cooper, the Fifa spokesman, said that the decision to withdraw Hauge's licence had been taken by the organisation's executive committee yesterday. "We have paid special attention to the situation regarding Rune Hauge," he said. "His licence was suspended some months ago when it was discovered he was implicated in the affair concerning George Graham. Since then, he has been officially suspended from transfer activities, but it has become evident that during his suspension he has continued to operate, even if through an intermediary, in the transfer of players despite his suspension."

"We will not take any action against players or clubs who have used Hauge during the period of his suspension, but we are making it clear that in future any individuals or clubs who avoid our decisions will face the consequences themselves."



No 650

- ACROSS
- 1 Panicky rush (8)
 - 5 Memorial service (4)
 - 8 External (5)
 - 9 Flood through (7)
 - 11 Yes, that is printed right (3)
 - 12 Drunken yob (5,4)
 - 13 Cooking instructions (6)
 - 15 Accustomed, hardened (10)
 - 18 With great, sincere emotion (9)
 - 19 Post-USSR grouping (1,1,1)
 - 20 One-direction-only toothed wheel (7)
 - 21 Subcontinent republic (5)
 - 22 Royal house of eg Richard III (4)
- DOWN
- 2 Intensity (8)
 - 1 Promoter, funder (7)
 - 2 Loft (5)
 - 3 Rich piece of writing; successful period (6,5)
 - 4 (Drug) amount per period (6)
 - 6 Lady's private room (7)
 - 7 Deal with; indulgence (5)
 - 10 My first objection is (3,3,5)
 - 14 Document of incorporation (7)
 - 16 Contemptuous rejection (7)
 - 17 Condition, usu. fine (6)
 - 18 Go quickly (5)
 - 19 Trainee officer (5)

SOLUTION TO No 649

ACROSS: 5 Open sandwich 8 Adjoin 9 Impact 10 Hook 12 Victory 14 Rustler 15 Heir 17 Advice 18 Occupy 20 Frantic piece

DOWN: 1 Cold-shoulder 2 Veto 3 Inhibit 4 Two-piece 6 Sink 7 Cartographer 11 Nutrient 13 Benefit 16 Pump 19 Chew

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RFU keen to break impasse on contracts

BY DAVID HANDS
RUGBY CORRESPONDENT

WHILE Twickenham is flooded for the first time for the University match today, the Rugby Football Union (RFU) must hope that some light will also be thrown this week on the contractual arrangements it seeks to reach with its leading players.

As long as the England squad contracts remain unsigned, the RFU must take seriously the potential threat posed by Ross Turnbull, the Australian said to be organising a European super league. Turnbull, who was associated with Kerry Packer's still-born World Rugby Championship, is understood to be offering players £200,000 to participate in a summer tournament played in the five nations and Italy.

Such a threat is a useful bargaining tool, as the South African and Australian players discovered six months ago, and it may also suit England's leading clubs to build up Turnbull as a hooeyman.

The reverse of that coin is the situation at Northampton, whose players must feel happier now that a local businessman, Keith Barwell, has in effect bought the club for £1 million. Club members voted almost unanimously - 661 votes to one - on Sunday to approve Barwell's offer.

Saracens have secured their first big-name capture. Eddie Halvey, a flanker capped six times by Ireland, has signed a three-year contract.

44 Oxford underdogs, page 46

England ready to reward Ilott for perseverance

FROM ALAN LEE, CRICKET CORRESPONDENT, IN DURBAN

THE England tour manager, Raymond Illingworth, is keen to have Mark Ilott in his team for the pivotal third Test, which begins here on Thursday. This is not entirely due to the fact that the incessant prattling of the team chatterbox is inclined to drive Illingworth from the dressing-room with his head reeling.

Ilott is the irrepressible, life-and-soul type that every team needs. On the odd occasion when he is not talking, Ilott is invariably singing, surprisingly tunelessly. When included for the match at Paarl last week, he cheerfully related the manager's mock disclaimer that he had only picked him so he would no longer have to listen to him.

There are others in this party with the prankster's sense of fun but none whose nature and outlook seem so utterly impervious to fate or circumstance. And if the black moods of dismay are ever pardonable in a team environment, Ilott has recently had as much cause to mope as anyone.

He made his Test debut as a 22-year-old and played three times against the 1993 Australians. His last Test, remarkably, was Michael Atherton's first as captain. Since then, England have completed 25 Tests and five series without him, yet he has constantly been on the brink of a recall and now, for four Tests in succession, he has been omitted from a 13-man squad on the morning of the match. It would be enough to exhaust the resilience of many, yet Ilott remains his bright, noisy and phlegmatic self.

These are qualities that he

has inherited from his immediate predecessor as the Essex left-arm, John Lever. But they were also passed down by his father, John, who, well into middle-age, exuded boyish enthusiasm as a club wicket-keeper - and, in winter, a football goalkeeper - in the Watford area where Mark grew up.

Ilott was a natural inmate of the traditionally zany Essex

Familiar fear 44
Landmark for Warner 44
Mushyq's wizardry 44

dressing-room, even if his tendency to talk all the time did seem annoyingly precocious to certain senior players. They nicknamed him "Ramble" and soon grew fond of him. He was barely out of his teens when Keith Fletcher predicted a Test career for him and, despite its stuttering start, he was right.

When England landed here

Ilott adds variety



Ilott adds variety

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